



2024
Annual Security
and
Fire Safety Report



NIAGARA
UNIVERSITY

Table of Contents

MESSAGE FROM CHIEF SAFETY OFFICER	5
THE CAMPUS	6
CRIME INFORMATION AND STATISTICS	6
Campus Sex Crimes Prevention Act.....	6
ANNUAL CAMPUS SAFETY REPORT	7
Overview	7
Statistics Gathering.....	7
Clery Geography.....	8
Unfounded Crimes.....	9
Hate Crime Statistics	9
Campus Crime Statistic Charts.....	10
CAMPUS CRIME AND SECURITY	12
Overview	12
Missing Student Notification Procedures	12
Students of Concern Team.....	13
Reporting Crimes, Fires, Medical or Other Emergencies.....	14
On-Campus Reporting of Crimes	14
Off-Campus Crime and Coordination with Other Law Enforcement Agencies	15
Communication about Campus Crimes and Safety	15
Emergency Notifications.....	15
Timely Warnings.....	16
Notification of Campus Closing, Emergency Notification, or Timely Warnings	16
Campus Evacuation	17
Testing of Emergency Response and Evacuation Procedures	17
Publicization of Emergency and Evacuation Information	17
Security Awareness and Prevention Programming	17
Safety and Security	19
Campus Facilities.....	19
Residence Halls	19
Demonstration Policy	19
RELATIONSHIP VIOLENCE AND SEXUAL MISCONDUCT	22
RELATIONSHIP VIOLENCE AND SEXUAL MISCONDUCT POLICY	24
Immediate Considerations for Survivors.....	24
Sexual Violence, Relationship Violence, and Stalking.....	24

Reporting.....	24
Amnesty Policy.....	26
Reporting Contact Information.....	26
Interim Action for Survivors and Orders of Protection and No-Contact	26
Interim and Supportive Measures.....	26
Orders of Protection and No-Contact.....	27
Contact Information for Supportive Resources	28
Procedures.....	29
Disclaimer	29
Overview	29
Possible Sanctions	29
Interim Sanctions	31
Appeals.....	31
Confidentiality	32
Investigations/Hearings/Supportive Measures – Confidentiality.....	32
Public Reporting – Confidentiality.....	32
Written Notification of Rights and Options.....	32
Written Notification of Final Determination.....	34

EFFORTS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT,

AND STALKING (DVDVSAS)	35
Education and Training	35
NCAA Athlete Education	36
New Student Education	36
Consent Education	36
Bystander Intervention Education - Green Dot	37
Programs and Efforts	38
Immediate Considerations for Survivors of Sexual Assault, Domestic Violence, Dating Violence and Stalking	39
Support.....	39
Safety	39
Medical Care.....	40
Reporting to Law Enforcement	40
Community Partners in this work	41

HATE CRIMES AND ACTS OF DISCRIMINATION	42
Hate Crimes	42
Acts of Discrimination	43

Reporting.....	44
Amnesty Policy.....	45
Grievance Procedures.....	45
DRUGS AND ALCOHOL	46
Overview.....	46
Drug and Alcohol Policy Statement.....	46
Alcohol and Other Drug Resources.....	46
Education Program.....	46
Support Resources.....	46
Health Risks and Medical Consequences of Alcohol and Drug Use.....	47
The Law and University Policies.....	49
Federal and New York State Laws.....	49
Niagara University Ordinances.....	52
Student Organization Sponsored Events.....	52
Specific Drug Prohibitions.....	53
FIRE SAFETY INFORMATION AND STATISTICS	54
Fire Statistics and Fire Log.....	54
Fire Safety Systems.....	55
Fire Safety Education and Training Programs.....	55
Fire Drills.....	55
Evacuation Procedures and Guidelines.....	56
Fire Safety Violations and Prohibitions.....	57
Reporting Fire Safety Information.....	57
Plans for Future Improvements in Fire Safety.....	57
REPORT ON SECURITY AND SAFETY AT NIAGARA UNIVERSITY IN ONTARIO	58
APPENDIX A: MAP OF NIAGARA UNIVERSITY’S CLERY GEOGRAPHY	59
APPENDIX B: REPORTING CHART	60
APPENDIX C: STUDENTS BILL OF RIGHTS.....	61
APPENDIX D: MAP OF CAMPUS BLUE LIGHT TELEPHONES	63
APPENDIX E: HOW TO INTERPRET THE CAMPUS CRIME STATISTICS (VAWA)	64

Message from the Chief Safety Officer



Dear Niagara University Community,

As the Director of Campus Safety, it is my honor to present to you the Annual Security and Fire Safety Report for the past academic year. At Niagara University, the safety and wellbeing of our students, faculty, staff, and visitors are of utmost importance. This report is a testament to our unwavering commitment to maintaining a secure and nurturing environment where everyone can thrive.

Our dedicated team works tirelessly around the clock to ensure that our campus remains a safe haven. We employ a multifaceted approach that includes state-of-the-art security technologies, comprehensive emergency response protocols, and robust community engagement initiatives. We believe that safety is a shared responsibility, and we are deeply committed to fostering a culture of vigilance and preparedness across our campus.

This report not only details the various safety measures and initiatives we have in place but also provides important information about crime statistics and fire safety protocols. We encourage you to review this document carefully and familiarize yourself with the resources and services available to you. Together, we can continue to build a secure and supportive environment where every member of our community can achieve their highest potential.

Thank you for your ongoing cooperation and commitment to campus safety. We are proud to serve such a dedicated and caring community.

Sincerely,

A handwritten signature in black ink that reads "John F. Barker". The signature is fluid and cursive, written over a light grey background.

John Barker

Director of Campus Safety | Niagara University





The Campus

For nearly 170 years, Niagara University has been inspired by the enduring truths of its heritage, shaped by the values of St. Vincent de Paul and St. Louise de Marillac to enact a proud mission to educate students and enrich their lives through programs and career preparation informed by the Catholic and Vincentian traditions. Niagara University has sought to instill a passion for knowledge and inquiry through an experiential education that provides an integrated approach to quality teaching, meaningful interdisciplinary research, academic service learning, internships, and co-curricular learning experiences.

Niagara University was founded in 1856 as the College and Seminary of Our Lady of Angels, which began with six students and two faculty members. The founders of the university, Vincentian priests, the Most Rev. John Timon, C.M., and Rev. John J. Lynch, C.M., purchased two adjoining farms, the Vedder and De Veaux farms, on Monteagle Ridge overlooking the famous gorge. Over the next 25 years, the college and seminary grew and prospered, producing graduates that entered such fields as the priesthood, law and medicine, teaching, journalism and many others. Indeed, by the spring of 1863, the college had become so successful that the New York Legislature granted a charter empowering the college and seminary to award degrees to its graduates.

Mission Statement

Niagara University educates its students and enriches their lives through programs in the liberal arts and through career preparation, informed by the Catholic and Vincentian traditions.

Niagara University is an independent university with a strong, values-based Catholic and Vincentian tradition, blending the best of the liberal arts and professional studies. Its five academic divisions include the colleges of Arts and Sciences, Business Administration, Education, Hospitality, Sport and Tourism Management, and Nursing. The university also maintains an Academic Exploration Program that provides a learning community for students who are undecided about their major. Niagara is located on 160 picturesque acres overlooking the Niagara River and the Province of Ontario, Canada, four miles from the world-famous cataracts. As a premier bi-national university, over 4,200 students are enrolled in undergraduate and graduate programs at the Lewiston, NY campus and the Vaughan, Ontario site, making Niagara the largest independent higher education institution in the Buffalo-Niagara region.

The policies and procedures in this annual report apply to all Niagara University locations. Policies and procedures that differ between the Lewiston and Vaughan, Ontario campuses are noted accordingly.

Crime Information and Statistics

CAMPUS SEX CRIMES PREVENTION ACT

In accordance with the “Campus Sex Crimes Prevention Act” of 2000, which means the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Niagara University Department of [Campus Safety](#) provides a link to the New York State Sex Offender Registry. This act requires

institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of New York, convicted sex offenders must register with the New York State Sex Offender Registry maintained by the New York State Division of Criminal Justice Services.

- The New York State Sex Offenders Registry is available online at http://www.criminaljustice.ny.gov/SomsSUBDirectory/search_index.jsp.
- The Niagara County Sheriff's Office Sex Offenders Search is available online at <http://www.icrimewatch.net/index.php?AgencyID=54113&disc> or by visiting Niagara University Campus Safety Department's website at www.niagara.edu/public-registry-of-sex-offenders/.

Registry information provided under this section shall be used for the purposes of screening current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be a Class 1 misdemeanor.

Annual Campus Safety Report

OVERVIEW

A safe community is a top priority for Niagara University. In compliance with the Jeanne Clery Disclosure of Campus Security Police

and Campus Crimes Statistics Act (Clery Act) and the Higher Education Opportunity Act, Niagara University annually publishes this document, the Campus Security Report, and makes it available to the campus community and the public. The report is available online on the [Campus Safety](https://www.niagara.edu/campus-safety/) website (<https://www.niagara.edu/campus-safety/>).

Individuals may also request a hard copy of this report and should contact John Barker, Director of [Campus Safety](#), to obtain one. He can be reached through email at jfb@niagara.edu, or by phone at 716.286.8111.

The report provides overviews of campus crime statistics for the three years prior to year of this report, campus safety, security, and fire information, reporting information and supportive resources, and the policies and grievance procedures under the university's [Sexual Misconduct Awareness & Response Policy](#), [Title IX Grievance Policy](#), the [Drug/Illegal Substance](#) and [Alcohol Policies](#), and the [Non-Discrimination Policy](#). It also provides information on university and legal penalties for sexual misconduct, relationship violence, stalking, and illegal drug and alcohol use.

The purpose of this report is to provide valuable information to the Niagara University community to ensure transparency, accountability, and our commitment to a safe campus. It is reviewed annually and updated as necessary by a task force composed of individuals representing [Campus Safety](#), Vice President for [Student Affairs](#), Dean for Student Engagement and Belonging, the [Office of Violence Prevention and Education](#) (OVPE), and the [Office of Inclusive Excellence](#).

STATISTICS GATHERING

The crime statistics provided in this report are gathered through a collaboration with [Campus](#)

[Safety](#), local law enforcement, the Dean for Student Engagement and Belonging, and the [Title IX Coordinator and Civil Rights Officer](#). This report was prepared and compiled through a collaborative effort with [Campus Safety](#), the [Office of Inclusive Excellence](#), the [Office of Violence Prevention & Education \(OVPE\)](#), the Dean for Student Engagement and Belonging, [Student Affairs](#), and Campus Security Authorities. Per the Clery Act requirements, this report shares the crime statistics for the previous three years.

The charts within this section include crime statistics for the following crimes: murder, non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson. In compliance with the federal Violence Against Women's Act (VAWA), this report discloses statistics on dating violence, domestic violence, and stalking. Also included are statistics for sexual violence, drug and alcohol law, and university policy violations (arrest and campus disciplinary action), and possession of an illegal weapon.

Per New York State Law, section 6431 of the education law, this report must disclose incidents of hate crimes within the Niagara University campus community. A criminal incident is marked as a hate crime if it was motivated by the perpetrator's bias against any protected category of persons (i.e., race, ethnicity, national origin, religion, gender, sexual orientation, gender identify, or disability) and if it is one of the following crimes: murder, non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction, damage, or property vandalism.

Please note that if an individual is arrested or commits multiple criminal/university policy violations within a single event, those incidents are counted based on the discretion of [Campus Safety](#), the [Title IX Coordinator and Civil Rights Officer](#), and the Dean for Student Engagement and Belonging. However, per the guidance of the Department of Education, an arrest resulting in disciplinary referral would only count as one single event.

Niagara University does not have a policy or procedures in place to allow for anonymous reporting of incidents for the purpose of their inclusion in this report's annual crime statistics.

Please refer to Appendix E for more information on how to interpret the VAWA crime statistics.

CLERY GEOGRAPHY

Clery geography refers to the campus, campus residences, public property, and non-campus building or property that make up the jurisdiction in which Niagara University is required to report criminal activity under the Clery Act:

- **Campus:** Property owned or controlled by the institution with the same reasonably contiguous geographic area of the institution and used in direct support of the educational purposes (e.g., academic buildings, parking areas, other non-residential property, including residences).
- **Campus Residences:** Building owned or controlled by the institution and used as a student residential facility on campus.
- **Public Property:** Property near or adjacent to a facility owned or controlled by the institution (e.g., sidewalks, streets, public parking).
- **Non-Campus Building or Property:** Property owned or controlled by a



student organization and those owned or controlled by the institution (e.g., Niagara University in Ontario), other than a branch campus not within the same reasonably contiguous geographical area. Niagara University does not have any non-campus building or property owned or controlled by a student organization.

For questions regarding Clery geography, please contact the Director of [Campus Safety](#), John Barker, at jfb@niagara.edu or 716.286.8111. See Appendix A for an image of the Clery geography, excluding Niagara University in Ontario.

UNFOUNDED CRIMES

The Annual Security Report 34 CFR 668.46(b) and Crime Statistics 34 CFR 668.46(c) define an unfounded crime as a report that is later found false or baseless after a comprehensive investigation by sworn and commissioned law enforcement. Institutions are required to report the number of “unfounded crimes” and remove those numbers from the total annual crime statistics count.

There were no crimes reported which were determined to be unfounded during the previous three years .

HATE CRIME STATISTICS

Hate/bias crimes are addressed in the federal Hate/Bias Crime Reporting Act of 1990, the New York State Hate Crimes Act of 2000, New York State Education Law Article 129-A and New York Penal Law Section 485.

There were no reported hate crimes during the previous three years.



Campus Crime Statistic Charts

Campus Incidents Report	On Campus Total			Campus Residences			Non-Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by negligence	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Sex Offense – Rape	3	6	7	3	6	7	0	0	0	0	0	0
Forcible Sex Offense – Fondling	1	3	1	1	2	0	0	0	0	0	0	0
Non-forcible Sex Offense – Incest	0	0	0	0	0	0	0	0	0	0	0	0
Non-forcible Sex Offense – Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	1	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0

VAWA Crime Categories	On Campus Total			Campus Residences			Non-Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Domestic Violence	0	0	1	0	0	0	0	0	0	0	0	0
Dating Violence	2	7	2	2	5	2	0	0	0	0	0	0
Stalking	1	0	2	0	0	2	0	0	0	0	0	0

	On Campus Total			Campus Residences			Non-Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Arrests												
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Drug Related Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0

	On Campus Total			Campus Residences			Non-Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
Disciplinary Referrals												
Weapons Possession	0	3	2	0	3	2	0	0	0	0	0	0
Drug Related Violations	23	26	38	23	26	38	0	0	0	0	0	0
Liquor Law Violations	9	15	55	9	15	55	0	0	0	0	0	0

Campus: Property owned or controlled by the institution within the same reasonably contiguous geographic area of the institution and used in direct support of the educational purposes, e.g. academic buildings, parking areas, other non-residential property, including residences.

Campus Residences: Building owned or controlled by the institution and used as a student residential facility on campus.

Public Property: Property near or adjacent to a facility owned or controlled by the institution, e.g. sidewalks, streets, public parking.

Non-Campus Building or Property: Property owned or controlled by a student organization and those owned or controlled by the institution, other than a branch of campus not within the same reasonably contiguous geographical area

Campus Crime and Security

OVERVIEW

The Department of [Campus Safety](#) is located on University Drive, across from Dwyer Ice Arena. Our primary concern is to provide a safe environment, which allows all members of the campus community to pursue and achieve their educational and professional objectives. [Campus Safety](#) provides continuous 24 hours a day, 7 days a week, 365 days a year coverage for the entire campus and its constituency. The director of [Campus Safety](#) oversees all aspects of the department operations and reports to the chief financial and innovation officer. All significant decision making and policy implementation regarding safety and security issues are made cooperatively between appropriate university officials and [Campus Safety](#). All campus emergency calls should be made to 716.286.8111.

[Campus Safety](#) officers receive their authority through N.Y.S. General Business Law Article 7-A. Although not sworn officers and not able to make arrests, the department maintains a very close working relationship with area law enforcement agencies, specifically the Lewiston Police and Niagara Falls Police departments. Criminal activity and motor vehicle accidents are reported primarily to Lewiston Police for reporting, investigation, and arrest purposes. The director of [Campus Safety](#), with the assistance of local police departments and the dean for Student Engagement and Belonging, monitors and records criminal activity and student behavior at off campus locations where students reside and frequent.

Niagara University maintains a written memoranda of understanding (MOU) for investigation of alleged criminal offenses with the Lewiston Police Department. A MOU is a non-binding, written agreement between

parties that makes official their intention to collaborate and a description of expectations and understandings.

MISSING STUDENT NOTIFICATION PROCEDURES

Missing Students

The term “missing student” shall refer to any Niagara University student that has not been seen by friends or associates in a reasonable length of time which may suggest that the absence is cause for concern or suspicion.

If a member of the university community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify the [Department of Campus Safety](#) at 716.286.8111. [Campus Safety](#) will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students have the option to identify confidentially an individual to be contacted by Niagara University in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Niagara University will notify that individual no later than 24 hours after the student is determined to be missing. Students should visit their MyNU Family Educational Rights and Privacy Act utility to register a confidential contact person to be notified in the event that you are considered a missing person. A student’s confidential contact information will be accessible only by authorized campus officials and law enforcement as they investigate the missing person claim.

After investigating a missing person report, should [Niagara University Campus Safety](#) determine that the student is missing, [Campus Safety](#) will notify law enforcement

authorities no later than 24 hours after such a determination is made. The responding agency will immediately determine the seriousness of the missing student report, and will act accordingly to include, but not limited to: interviews, investigations, and coordination of search efforts. Niagara University will notify the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Niagara University will notify the student's parent or legal guardian within 24 hours of the determination that the student is missing.

Reports of commuter students who are missing should be referred to the office of [Campus Safety](#) who will work with local law enforcement agencies in the jurisdiction of the students off-campus residence.

The local law enforcement agencies that may be notified of an official missing persons report are as follows:

Town of Lewiston Police Department

4059 Creek Road
Youngstown, N.Y. 14174
716.754.8477

Niagara Falls Police Department

1925 Main St.
Niagara Falls, N.Y. 14305
716.286.4547

Niagara County Sheriff's Office

5526 Niagara Street Ext.
Lockport, N.Y. 14094
716.438.3393

Students of Concern Team

Niagara University's Students of Concern (SOC) team is a dedicated cross-disciplinary group aimed at fostering a safe, supportive, and

inclusive campus environment. Chaired by the dean for Student Engagement and Belonging, the SOC team is comprised of representatives from various critical campus departments, including [Campus Safety](#), Residence Life, the Office for Inclusive Excellence, Academic Success, Accessibility Services, and Health and [Counseling Services](#). This diverse composition ensures a comprehensive approach to addressing student academic, social, and behavioral concerns, grounded in the best practices advocated by the National Association for Behavioral Intervention and Threat Assessment (NABITA).

Purpose and Approach

The primary mission of the SOC team is to identify, assess, and respond to behaviors that may pose a threat to the safety and well-being of the campus community. By leveraging the expertise of its members, the team provides a coordinated response to ensure students receive the support they need, mitigating potential risks and enhancing overall campus safety and student success.

Concerning Behaviors

Members of the campus community, including students, faculty, staff, and administration, are encouraged to report behaviors that may indicate a student is in distress or poses a potential threat. Concerning behaviors that should trigger a report include, but are not limited to:

- **Significant changes in behavior or appearance:** Sudden withdrawal from social interactions, drastic changes in academic performance, or noticeable shifts in personal hygiene.

- **Expressions of self-harm or suicidal ideation:** Any verbal or written statements suggesting a student may be considering self-harm or suicide.
- **Aggressive or threatening behavior:** Actions or statements that suggest potential harm to others, including verbal threats, physical aggression, or possession of weapons.
- **Substance abuse:** Observable signs of drug or alcohol misuse that may impact a student's health and academic performance.
- **Mental health concerns:** Symptoms of depression, anxiety, or other mental health issues that impair a student's ability to function effectively.

REPORTING CRIMES, FIRES, MEDICAL OR OTHER EMERGENCIES

Situations posing an imminent risk of harm to a student or the campus should immediately be reported to Campus Safety by calling 716.286.8111 or law enforcement by calling 911.

To facilitate timely and effective responses to urgent but not emergency student concerns, Niagara University has established an accessible reporting portal on MyNU, available to all campus community members. The portal provides a straightforward way to report concerning behaviors. Reports submitted through this portal are reviewed promptly by the SOC team, ensuring that appropriate interventions and support mechanisms are put in place.

To access the Students of Concern reporting portal, please visit: [MyNU Students of Concern System](#).

By fostering a culture of care and vigilance, the Students of Concern team at Niagara University plays a crucial role in maintaining a safe and supportive educational environment, ensuring that all students have the opportunity to thrive.

ON-CAMPUS REPORTING OF CRIMES

Preventing campus crime is a shared responsibility between the University and all members of the campus community. Individuals are strongly encouraged to report all and any criminal activity in an accurate and timely manner to [Campus Safety](#) or local law enforcement.

Whether or not you are the victim, you should report any crime, suspicious activity or other emergency on campus. Call [CAMPUS SAFETY](#) at 716.286.8111 and, when possible, provide the following information:

- Your name;
- Location of the incident you are reporting;
- Description of the situation and people involved; and
- Description of any vehicles involved in the incident, especially a license plate number.

When you think a crime is being or has been committed, immediately notify Campus Safety at 716.286.8111. Other reporting options include informing a Residence Life staff member (main office – O'Shea Hall, first floor 716.286.8566). Additionally, a number of strategically-placed exterior blue light telephones are located throughout the campus. These phones can be used to report incidents or emergencies to [Campus Safety](#). Campus restricted telephones also are located in the lobbies and living areas of all residential facilities. Using these easily

accessible phones, [Campus Safety](#) can be contacted by dialing 8111. Please see Appendix D for a map of the blue light telephones located throughout the campus.

Students are encouraged to report incidents of sexual misconduct, relationship violence, stalking, and hate crimes to the university's [Title IX Coordinator and Civil Rights Officer](#):

[Title IX Coordinator and Civil Rights Officer](#)

O'Shea Lower Level, B27

Madison Boehler

Email: boehler@niagara.edu

Phone: 716.286.8314

OFF-CAMPUS CRIME AND COORDINATION WITH OTHER LAW ENFORCEMENT AGENCIES

Individuals who witness or experience a crime are strongly encouraged to report the incident to local law enforcement in an accurate and timely manner, especially for incidents that occur off-campus or are otherwise not part of the university's Clery geography. [Campus Safety](#) and Niagara University work in close collaboration with local law enforcement to respond to criminal activity and can assist individuals in making a report.

Reports may be made to any of the following law enforcement agencies:

Town of Lewiston Police Department

4059 Creek Road

Youngstown, NY 14174

716.754.8477

Niagara Falls Police Department

1925 Main St.

Niagara Falls, NY 14305

716.286.4547

Niagara County Sheriff's Office

5526 Niagara Street Ext.

Lockport, NY 14094

716.438.3393

[Campus Safety](#) will assist students in filing a police report, if they choose to do so. Students should be aware that filing a police report entails the following processes:

- The report must be made in person.
- Bring your license or any other form of identification as well as any evidence you may have relating to the incident.
- A police officer at the station will fill out a report and obtain your statement, any necessary information, and the evidence, if you brought any with you.
- After completing the report, the officer will investigate and follow-up with you regarding any questions, comments, or concerns he or she may have about the incident.
- Keep in mind that the investigation process may take some time. Be sure to rely on the supportive measures Niagara University offers and be patient with the process.

COMMUNICATION ABOUT CAMPUS CRIMES AND SAFETY

Emergency Notifications

For the purposes of being able to notify the campus community and ensure members' safety, individuals are strongly encouraged to make reports of suspicious or criminal activity to [Campus Safety](#) or local law enforcement. If an emergency is initiated within the campus community, Niagara University, [Campus Safety](#) and the university's Emergency Coordinator will immediately notify local emergency organizations by calling 911. In some instances,

Niagara University receives notification of an emergency from local emergency officials. For those incidents, after being notified, [Campus Safety](#) and the Emergency Coordinator will determine whether the emergency requires an emergency notification or timely warning and proceed as appropriate.

If such a report requires the issuance of a timely warning or emergency notification by Niagara University, the emergency notification system will be activated. Such notifications will be coordinated, including their content and means of notification, as necessary by [Campus Safety](#), the Office for Public, External and Government Relations, the university Emergency Coordinator, or the Crisis Response Team (CRT) and shared immediately with the entire campus community. Niagara University will issue a brief, immediate emergency notification and then follow up with additional information, as necessary and based upon the context of the emergency.

If a notification needs to be sent to the broader community, Niagara University will work in conjunction with local emergency responders to ensure it is done so.

Information will not be released to the public unless authorized and confirmed by the Office for Public, External and Government Relations and all media inquiries should be directed to the Office for Public, External and Government Relations. Once the information has been confirmed, the Niagara University community will be immediately notified.

Niagara University will without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

TIMELY WARNINGS

The Clery Act regulations require that campuses provide a “timely warning” to the campus community concerning the occurrence of a crime that is believed to represent a continuing threat to the campus community.

Timely reporting to the campus community is decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. Timely warning notices are distributed by the Office for Public, External and Government Relations.

NOTIFICATION OF CAMPUS CLOSING, EMERGENCY NOTIFICATION, OR TIMELY WARNINGS

In the event of non-emergent and emergency situations, notification will be made to the campus community through the Niagara University Mass Notification Network including some or all of the following methods:

- NU Web page: <http://www.niagara.edu/>;
- On-campus email and voice mail systems;
- Automated text and cell phone messaging;
- Campus-wide digital signage;
- Mass-notification speaker system.
- Posted flyers.

Additionally, local radio and television stations will announce University closing information.

Individuals do need to sign up for the Niagara University Mass Notification Network. Please refer to the Instructions to [Receive Campus Alerts Text \(SMS\) Messages](#) for how to do so:

<https://dailypost.niagara.edu/wp-content/uploads/2023/12/Campus-Alert-Instructions.pdf>

CAMPUS EVACUATION

Should an emergency require a campus evacuation the following procedures will be implemented:

- The Emergency Coordinator or their designee will announce evacuation orders, via Niagara University Mass Notification Network.
- All individuals are to vacate the site in question immediately and relocate, as directed.
- The university community may be asked to assist in providing transportation for individuals needing transport.
- Evacuation updates will be provided via Niagara University's Mass Notification Network.

If you are off campus when a full campus evacuation is implemented, do not report to the university.

TESTING OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES

[Campus Safety](#) conducts daily tests of the Mass Notification System. [Campus Safety](#) will activate the system and a designated drill evaluator will complete an evaluation form. If gaps are identified, [Campus Safety](#) will address and resolve the gaps in collaboration with the Crisis Response Team (CRT).

In addition to conducting regular fire drills (explained in the Fire Safety section), [Campus Safety](#) also conducts regular shelter in place drills in all campus facilities. A designated drill evaluator will assess the efficiency and

effectiveness of the system, reflecting on the identified measurable goals. If gaps are identified, [Campus Safety](#) will address and resolve the gaps in collaboration with the Crisis Response Team (CRT).

PUBLICIZATION OF EMERGENCY AND EVACUATION INFORMATION

Niagara University, in collaboration with [Campus Safety](#), the Crisis Response Team (CRT) and the Emergency Coordinator make available to the campus community a description of emergency response and evacuation procedures as well as the frequency of drills. Overview information is shared within the Annual Security Report (ASR), and more detailed information can be found online in the [Emergency Preparedness Reference Guide](#): <https://www.niagara.edu/wp-content/uploads/2023/07/Emergency-Preparedness-Reference-Guide.pdf>

[Campus Safety](#) keeps a running record of each test including a description of the exercise, the date the test was held, the time the test started and ended, or whether the test was unannounced or announced.

SECURITY AWARENESS AND PREVENTION PROGRAMMING

Each year, beginning with summer orientation and new student orientation, students are informed of services offered by [Campus Safety](#) and informed of safety precautions they can take to protect themselves. Throughout the year, students are also told about incidents and crimes occurring on campus and within the surrounding neighborhoods via emergency notifications, timely warnings, or annually through this report. Students are informed and notified through a collaboration of several offices on campus, including but not limited

to: [Campus Safety](#), [Student Affairs](#), the Dean for Student Engagement and Belonging, and Office for Public, External, and Government Relations.

Proactive safety and security measures applied on campus and shared with students during summer orientation and new student orientation include:

- Enhanced lighting of parking lots, pedestrian walkways and building exteriors.
- Standardized, around the clock [Campus Safety](#) foot and vehicular patrols of university grounds and buildings.
- Periodic nightly patrols by Residence Life staff in their respective buildings.
- Close monitoring of residence hall visitors by Community Advisors at each building's main desk during high-traffic hours.
- Mandatory lock changes for lost keys throughout the campus.
- Accessibility of a campus-wide network of exterior emergency telephones linked directly to [Campus Safety](#).
- Distribution of crime prevention materials to the campus community.
- Availability of [Campus Safety](#) security escort service 24/7.
- Campus-wide programs on alcohol, substance abuse, and sexual violence, stalking, and relationship violence issues.
- Firm enforcement of health and safety regulations in and around the residence halls and apartments.
- Crime prevention presentations for the resident students and the general campus population.

- Regular trimming of shrubbery, trees, and other vegetation on the campus grounds.
- Strict enforcement of on-campus driving regulations and parking in fire lanes adjacent to all buildings.
- NIMS-compliant emergency response plan for campus and local emergencies.
- The university's Advisory Committee on [Campus Safety](#), composed of faculty, administrators, and students, regularly reviews current campus security policies, procedures, and security concerns.

University offices and departments may request safety checks and training from [Campus Safety](#). In some instances, the Crisis Response Team (CRT) will mandate safety training for all employees.

As a part of Niagara University's commitment to a safe community, the university urges community members to be proactive about their safety, thereby reducing their risk of becoming a victim of a crime. This suggestion to protect oneself is, by no means, meant to place blame on anyone other than the perpetrator of the crime. The recommendation that individuals take steps to protect themselves stems from a socioecological perspective on crime, which argues that criminal activity occurs at the convergence of three factors: a willing perpetrator, a place without security oversight, and a vulnerable victim.

Risk reduction safety tips while on Niagara University's Campus:

- Be aware of what's going on around you.
- Become familiar with your residence hall and classroom buildings.
- Locate emergency exits and telephones.

- Never prop open any locked or exterior building doors. Un-prop doors whenever you see them.
- Avoid walking alone after dark, walk with others along well traveled and well lit routes.
- Lock your car at all times and refrain from leaving property in a vehicle where it can be seen.
- Avoid giving rides to strangers or hitchhikers.
- Become familiar with the location of campus blue-light emergency phones.
- Fasten your bike securely with a sturdy bicycle chain or cable when not in use.
- Avoid providing personal information on social network sites that would assist an identity theft (e.g. date of birth, SSN).
- Immediately report any suspicious person, situation, or security deficiencies to [Campus Safety](#).
- Immediately report the loss of your room key to your Community Advisor or to [Campus Safety](#). Lock changes are mandated to prevent the misuse of lost or stolen keys.
- Never loan your key or student ID card to anyone.
- Report any stranger in your living unit immediately to a residence life staff member.
- Escort your guests throughout campus residences. You are responsible for their actions!
- Don't leave your clothing unattended in the laundry room. Mark all pieces in places other than the labels.
- Check whether your family's homeowner's insurance covers your possessions while away from home.
- Let your roommate(s), Community Advisor, or family members know whenever you're going to be away for the night or an extended period.

Risk reduction safety tips while in Campus Residential Facilities:

- Lock your door whenever you nap, sleep, or leave the room — even to shower.
- Secure first floor room windows when no one is home.
- Keep valuables locked and/or out of sight.
- Avoid keeping large sums of cash in your room and/or apartment or speaking indiscriminately about the arrival of money.
- Don't leave notes on your door announcing that you're not at home.
- Never host people who you don't know overnight in your campus residence.
- Become familiar with all campus housing emergency procedures, especially fire evacuation, and assembly area guidelines.
- If you are concerned about the physical or emotional well-being of someone, please inform a Community Advisor, [Campus Safety](#), or the Dean for Student Engagement and Belonging.

SAFETY AND SECURITY

Campus Facilities

All campus facilities are controlled by card access. Buildings are open during business hours and locked in the evening and overnight. [Campus Safety](#) schedules routine checks through the course of a day to ensure only

authorized individuals are utilizing campus facilities.

Residence Halls

Residence halls refer to residential buildings: Lynch, O'Donougue, Clet, Varsity Village, Apartments, Roosevelt House, Hyde Park House, and the second floor and up of Seton and O'Shea. Only residents, [Campus Safety](#), and emergency personnel have 24/7 access to the residence halls, and each hall is controlled by card access. Furthermore, staff from the Office of Residence Life and [Campus Safety](#) perform routine checks of all residence halls to ensure a safe environment for residents.

Demonstration Policy

Niagara University encourages the open and respectful expression of opinion, exchange of ideas, and the right to assent to or dissent from existing university or broader societal situations. Ensuring and safeguarding open and respectful expression requires Niagara University's commitment to the safety of individuals, the protection of property, and the continuance of university business. As such, the university will have the final determination as to the time, place, and manner of all demonstrations and other similar events on-campus.

All demonstrations and other similar events on or adjacent to campus must be orderly and peaceful. Demonstrations or other similar events on or adjacent to campus may not impede passage, may not create excessive noise, and may not interfere with the business operations of the university.

The broadest possible exercise of freedom can be carried out only in conjunction with responsibility. Members of the university community and all other persons on university property assume the obligation to conduct

themselves in a manner compatible with the University's function as an educational institution. To this end, the following acts and/or conduct are prohibited:

- Persons who are NOT members of the university community are not permitted to demonstrate;
- Conducting a demonstration at a time or place other than the time and place previously approved by the Dean for Student Engagement and Belonging or designee;
- Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university activities on university owned or controlled property, including its grounds, campus, buildings, and/or other facilities (hereinafter collectively referred to as "university property");
- Obstruction of entry and exit points of buildings;
- Establishment of encampments (e.g., use of tents or other structures) in indoor or outdoor locations;
- Use of placards, banners, signs or other materials deemed by the university to be dangerous (e.g., signs affixed to wooden sticks or metal poles);
- Use of amplifying equipment;
- Assemblies lasting more than 12 hours and/or overnight assemblies;
- Physical or verbal abuse of any person on university property or at university sponsored or supervised functions or conduct which threatens or endangers the health or safety of any such person;
- Threats of harm;

- Theft or damage to property of the university or of a member of the university or campus visitor;
- Unauthorized entry to or use of university property, including maintaining an unauthorized presence in buildings;
- Disorderly conduct or lewd, indecent, or obscene conduct, language, or expression on university property or at university sponsored or supervised functions;
- Failure to comply with directives of university officials acting in the performance of their duties;

- Any other violations of civil law and/or university regulations;

In addition to the foregoing specific prohibitions, which are not exclusive, members of the university community and other persons on the property of the university shall conduct themselves at all times in a manner which does not disrupt the university community or infringe upon the rights of others.



Relationship Violence and Sexual Misconduct

Niagara University expects all its members to respect the rights, dignity, and personhood of others. Niagara University strives to create a safe educational and working environment for all members of the community, including students, faculty, administrators, and staff. Violence of any kind, including dating violence, domestic violence, sexual assault, and stalking, will not be tolerated. Furthermore, Niagara University strongly encourages witnesses of these crimes to intervene as active bystanders. Intervening when it is safe to do so could prevent such violence from occurring. The Office of Violence Prevention and Education offers by-stander intervention training to all students, faculty, administration, and staff via the Green Dot curriculum.

Niagara University fully supports and complies with all local, state and federal laws governing and prohibiting rape, sexual and dating violence, and stalking as those terms are defined under the Clery Act:

- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on: the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic violence:** A felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape:** Penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling:** Touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the age of consent (18 years old).
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for the person's safety or the safety of others; or suffer substantial emotional distress.

Niagara University also complies with the federal definitions of dating violence, domestic violence, sexual assault, and stalking as guided by New York State's Enough is Enough law. The definitions are also outlined in [Niagara University's Sexual Misconduct Awareness and Response Policy](#):

- **Domestic violence:**

- A felony or misdemeanor crime of violence committed – (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- For the purposes of this definition— (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence.

- For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

- **Stalking:**

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to — (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress.

- **Sexual Assault:** (A) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight; (B) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (C) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or (D) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Relationship Violence and Sexual Misconduct Policy

The [Sexual Misconduct Policy](https://www.niagara.edu/nu-policies-and-procedures/) can be found on the Niagara University Office for Inclusive Excellence website (<https://www.niagara.edu/nu-policies-and-procedures/>). This policy applies to undergraduate and graduate students and behavior occurring both on and off campus. It is the responsibility of all campus community members to be aware of and adhere to all state and federal laws, particularly those which govern rape, sexual and dating violence, and stalking, and to understand that behavior that does not rise to the level of being criminal is also actionable under this policy.

In addition to this policy, students, faculty, and staff are protected by the university's [Non-Discrimination Policy and Grievance Procedures](https://www.niagara.edu/nu-policies-and-procedures/), which can be found on the Niagara University Office for Inclusive Excellence website (<https://www.niagara.edu/nu-policies-and-procedures/>). This policy prohibits acts of harassment or discrimination based on an individual's sex, race, age, disability, color, creed, national origin, religion, ethnicity, gender, gender identity or expression, sexual orientation, marital or familial status, military or veteran status, domestic violence victim status, pregnancy, or other category protected by law.

Niagara University takes acts of sexual misconduct, relationship violence, stalking, and discrimination very seriously. Individuals who are found to have violated either the sexual misconduct or non-discrimination policy will face sanctions, including but not limited to suspension or expulsion.

IMMEDIATE CONSIDERATIONS FOR SURVIVORS

Sexual Violence, Relationship Violence, and Stalking

Reporting

Reports of sexual misconduct, relationship violence, and stalking should be made in an accurate and timely manner to the [Title IX Coordinator and Civil Rights Officer](#) or local law enforcement.

Disclosing an incident of sexual misconduct, relationship violence, and stalking is strongly encouraged. When choosing to disclose, individuals should be aware of which university employees are private (will only share information with those who need to know) or confidential (are not legally required to report). Responsible but not confidential resources have an obligation under federal law to report a disclosed incident to the [Title IX Coordinator and Civil Rights Officer](#), whereas confidential sources do not. See Appendix B for a chart detailing which resources on and off campus are confidential.

As required by the Clery Act, all employees who have significant responsibility for student and campus activities such as coaches, administrators, and faculty must report crimes involving sexual misconduct, relationship violence, and/or stalking to the university. An individual is encouraged to report any criminal conduct to both the university and law enforcement. Students, employees, and third-party community members may contact the [YWCA of the Niagara Frontier](#) for assistance in preserving physical evidence and filing a criminal report.

Claimants (students, employees, officers, contractors, trustees, or guests of Niagara University) may make reports to the university

([Title IX Coordinator and Civil Rights Officer](#) or [Campus Safety](#)), local law enforcement, both, or neither. We understand that these incidents are oftentimes traumatic, and claimants may need time to decide if, when, and how they would like to report. Note, however, that claimants are still encouraged to seek out support from the university and local services while determining their course of action. Claimants are able to make a report at any point, so long as they and the respondent are still a student of the university.

Victims of sexual misconduct, relationship violence, or stalking who want the information to remain confidential, may seek out a counselor in [Counseling Services](#), clinical staff in Health Services, or an ordained member of Campus Ministry performing his confessional duties. In addition, students in the ROTC program can report confidentially to the SARC (Sexual Assault Response Coordinator) representative within the Purple Eagle Battalion Cadre. Please see Appendix B for a flow chart which details the confidential resources on-and off-campus and the section titled Contact Information for Supportive Resources for their contact information.

Reports made to a licensed counselor, health care provider, a Vincentian Priest during confession, or to the SARC representative, are confidential and will not be shared with university officials without your permission unless an imminent threat exists. [Counseling Services](#) or the [Title IX Coordinator and Civil Rights Officer](#) can also aid students who wish to find counseling support off campus. The university encourages any student who has been sexually assaulted to also consult their parents/guardians.

Students and others who experience sexual violence are encouraged to report it immediately,

but more importantly, to seek treatment at a hospital equipped to perform the appropriate exams when the victim has reported that they have been sexually assaulted or raped. It is important to preserve evidence of dating violence, domestic violence, sexual assault, and stalking for proof of a criminal offense if such charges may be filed. We know it is difficult, but if at all possible, do not shower or otherwise remove evidence of a sexual assault prior to seeking medical attention.

Individuals seeking a forensic rape examination are encouraged to reach out to the YWCA of the Niagara Frontier for assistance in obtaining one:

[The YWCA of the Niagara Frontier](#)

24 Hour Confidential Crisis Hotline
Call or text 716.433.6716

The following hospitals in Niagara County provide forensic examinations (FREs):

Lockport Memorial

6001 Shimer Dr., Lockport, N.Y. 14094
Phone: 716.419.0400

DeGraff Memorial Hospital

445 Tremont St., North Tonawanda, N.Y. 14120
Phone: 716.694.4500

Mount St. Mary's

5300 Military Rd., Lewiston, N.Y. 14092
Phone: 716.297.4800

To obtain an FRE, Niagara University suggests an individual first contacts a victim's advocate, which they can obtain through the [YWCA of the Niagara Frontier](#). Their contact information is available in the Contact Information for Supportive Resources section.

Please note that a forensic examination does not require an individual to file a police report, but such an examination will help preserve evidence in the event the victim decides to file a report at a later time. FREs must be done

within 72 hours of the incident. See [RAINN](#) for more information on what an FRE is, the process, and timeframe: <https://rainn.org/articles/rape-kit#:~:text=In%20most%20cases%2C%20DNA%20evidence,if%20you%20decide%20to%20report.>

New York State provides reimbursement for most FREs in the event an individual does not have or chooses not to use private insurance through the [Forensic Rape Exam Direct Reimbursement Program](#). Visit their website for more information, including how to qualify: <https://ovs.ny.gov/forensic-rape-examination-fre-direct-reimbursement-program>.

Amnesty Policy

Minor and moderate student conduct violations and crimes that are revealed in reports to the [Title IX Coordinator and Civil Rights Officer](#) will not be pursued by campus officials. This especially applies to alcohol and drug possession violations. In most cases, these violations will not even be disclosed, except insofar as they are relevant to investigations and/or witness reports. This applies to victims, complainants, respondents, witnesses, the accused, and/or anyone providing information.

Reporting Contact Information

Any individual who has experienced or has knowledge of an incident of sexual misconduct, relationship violence, or stalking is strongly encouraged to report the incident to one or more of the following:

[Title IX Coordinator and Civil Rights Officer](#)

Madison Boehler

boehler@niagara.edu

716.286.8314

O'Shea Hall, Lower Level, B27

Niagara University

Campus Safety

716.286.8111

Campus Safety Building

Niagara University

*Campus Safety officials are not sworn officers. If they receive a report of sexual misconduct, relationship violence, or stalking, they will send the report to [Niagara University's Title IX Coordinator and Civil Rights Officer](#).

Town of Lewiston Police Department

4059 Creek Rd.

Youngstown, N.Y. 14174

716.754.8477

Niagara Falls Police Department

1925 Main St.

Niagara Falls, N.Y. 14305

716.286.4547

Niagara County Sheriff's Office

5526 Niagara St. Ext.

Lockport, N.Y. 14094

716.438.3393

*An individual may choose to contact or not to contact local law enforcement of an incident of relationship violence, stalking, or sexual misconduct. If an individual would like to report such an incident, they are entitled to Niagara University's support during that process and should contact [Campus Safety](#) or the [Title IX Coordinator and Civil Rights Officer](#) for assistance.

Please see Appendix B for a flow chart illustrating the available reporting options.

INTERIM ACTION FOR SURVIVORS AND ORDERS OF PROTECTION AND NO-CONTACT

Interim and Supportive Measures

Supportive Measures: Claimants who report allegations that could constitute covered

sexual harassment under this policy, have the right to receive supportive measures from Niagara University regardless of whether they desire to file a “formal complaint” or file a police report, which may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties (no contact orders), changes in housing or work locations, leaves of absence or increased security and monitoring of certain areas of the campus as appropriate. Supportive measures are non-disciplinary and non-punitive. Such supportive measures are also available to respondents, when applicable.

Emergency Removal: Niagara University retains the authority to remove a respondent from Niagara University’s program or activity on an emergency basis, where the university (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal. If Niagara University determines, through its usual process for threat assessment, such removal is necessary, removal will be effected as governed by the appropriate policy or contract, depending on the nature of the removed person’s relationship to the university.

Administrative Leave of Employees: Niagara University retains the authority to place an employee respondent on administrative leave during the Title IX Grievance Process, consistent with relevant employee policies and collective bargaining agreements.

The paragraphs above are pulled from Niagara University’s [Title IX Grievance Policy](#). Please refer to that policy for more information.

Other Interim Measures: In addition to the resources and measures described above, other measures may be available to claimants and respondents on an individualized basis. Please note that any measure with respect to a university employee will be taken with respect to the university’s rights as an employer.

A claimant (reporting party) and respondent’s (accused party) personal information will be kept confidential so long as it does not impair the ability of the institution to provide accommodations or protective measures. The [Title IX Coordinator and Civil Rights Officer](#) is responsible for responding to requests for supportive and protective interim measures, and the university is obligated to comply with reasonable requests for changes.

Orders of Protection and No-Contact

No-contact orders restrict communications between a claimant and a respondent. Limited communication may be helpful in mitigating any chance of retaliation or escalation, and the university may decide to pursue one as a supportive measure. If a claimant would like to obtain a no-contact order, the claimant should contact Niagara University’s [Title IX Coordinator and Civil Rights Officer](#). Please note that no-contact orders issued by the university are limited in scope and authority to students and behaviors that violate the [Student Code of Conduct](#).

Claimants may wish to pursue a civil, criminal, or tribal order of protection. This option could place more restrictions on the interaction and communication between the claimant and respondent (e.g., physical restrictions) than would a no-contact order issued by the university. If a victim wishes to obtain an order of protection, the [Title IX Coordinator and Civil Rights Officer](#) or director of [Campus Safety](#)

can assist them in contacting appropriate local law enforcement to file an official complaint as Niagara University is unable to issue such an order ourselves.

Claimants who wish to discuss enforcement of a no-contact order of protection issued by the university or an order of protection issued externally from the university can speak with the Title IX Coordinator or the issuing agency.

Claimants should not be discouraged from pursuing supporting and protective measures that require a report to the university or law enforcement. Niagara University and local law enforcement have services available that will help support victims as they navigate the university and legal processes.

Such services are available to claimants of any harassment-based incident, including but not limited to sexual assault, domestic violence, dating violence, and stalking. In the instance that such an order is issued, Niagara University is responsible for complying with and enforcing such orders.

Contact Information for Supportive Resources

Title IX Coordinator and Civil Rights Officer

Madison Boehler

boehler@niagara.edu

716.286.8314

O'Shea Hall, Lower Level, B27

Niagara University

The university [Title IX Coordinator and Civil Rights Officer](#) can provide academic and living accommodations and support, no-contact orders, leaves of absences, and so on for all parties involved in an investigation. See section, *Interim Action, Orders of Protection and No-Contact*, for more information. Please

note that to receive these services a report documenting the incident must be made to the university or through local law enforcement.

Counseling Services, Niagara University

To make an appointment:

Call 716.286.8536 or come in person to Seton Hall, Lower Level

Niagara University offers free and confidential mental health counseling services to all students. They provide in-person and online counseling options; however, please note that location restrictions do apply for online appointments. Counseling services can also provide referrals to other supportive services and self-help resources.

The YWCA of the Niagara Frontier

24-Hour Confidential Crisis Hotline

Call or text 716.433.6716

The YWCA of the Niagara Frontier offers a 24/7 crisis hotline available through either call or text. The YWCA also offers services (adult counseling and trained victim advocates) to help victims of sexual or relationship violence navigate their circumstances by supplying information, transportation to the hospital for forensic rape exams (FREs), assisting in the legal process, creating safety plans, and providing emotional support. The YWCA can also support victims as they navigate university reporting procedures.

Pinnacle Community Services

24-Hour Confidential Crisis Hotline for Domestic Violence Victims and Survivors

Call 716.433.6716

Pinnacle Community Services provides a 24/7 confidential crisis hotline geared towards victims and survivors of domestic violence. Pinnacle also offers counseling and support groups for victims of domestic violence.

PROCEDURES

Disclaimer

The policies referenced within this section were and are active for incidents that occurred prior to August 1, 2024. Reports of incidents on or after August 1, 2024, will fall under Niagara University's updated sexual misconduct and Title IX Grievance procedures. Please see the [Title IX Coordinator and Civil Rights Officer's website \(www.niagara.edu/oei\)](#) and click on the "NU Policies" tab for information on the current policies and procedures.

Overview

Reports of sexual assault, domestic partner violence and stalking will be addressed under the university's [Sexual Misconduct Awareness and Response Policy](#) and the [Title IX Grievance Policy](#), which can be found at the Niagara University's [Title IX Coordinator and Civil Rights Officer's website \(www.niagara.edu/oei\)](#) and clicking on the "NU Policies" tab.

After a report is initiated, the [Title IX Coordinator and Civil Rights Officer](#) will determine whether the claim falls under the jurisdiction of the Sexual Misconduct Policy or the Title IX Grievance Policy and proceed with an investigation and disciplinary proceedings as outlined by the governing policy. Please see those policies for more detailed information relating to disciplinary proceedings.

Each party is entitled to an advisor of their choice to assist them in this process.

"Advisor" is an individual of the respondent or reporting parties' choosing. The Advisor can meet with the claimant to discuss the claimant's rights and case prior to the hearing. The Advisor's role is to provide personal counsel and support to the accused, but not to present the case or address the panel, board,

or hearing officer. The Advisor cannot serve as a witness in the conduct proceeding. If the claimant or the Advisor has any questions at any point, they should contact the Dean for Student Engagement and Belonging or his/her designee.

Although claimants are free to select their own Advisor, the Dean for Student Engagement and Belonging shall maintain a list of advisors familiar with this process and shall assign an Advisor to a student, who the student may elect to use or replace at their discretion.

Possible Sanctions

Students found responsible for violating the university's Sexual Misconduct or Title IX Policies will face sanctions as outlined by the [student conduct code](#):

- **Warning:** A written notice to the student that the student is violating, or has violated, the Student Code of Conduct and that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- **Loss of Privileges:** Denial of specified privileges for a defined period of time, including but not limited to, signing in guests, residence hall visitation, dining services, computer use, representing the university, participation in co-curricular activities, athletic events, etc.
- **Fines:** A monetary fee may be imposed.
- **Referral to Counseling and/or Health Services:** A student may be referred to meet with Counseling and /or Health Services for alcohol/substance abuse violations or when there is a behavioral or health concern for the well-being of the student.

- **Restitution:** Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Disciplinary Service:** Service to the university or other related discretionary assignments, including, but not limited to, educational program planning, bulletin board design, or hours of work for a designated department of the university or service agency.
- **Educational Program, Project or Paper Assignment:** Participation in or completion of a program, project or paper related to the code violation specifically designed to help the student understand why the violation was inappropriate.
- **Disciplinary Probation:** A written reprimand for violation of the Student Code of Conduct. A student placed on Disciplinary Probation is no longer in good conduct standing at the university, which could impact your student status. Probation is set for a designated period of time and includes the probability of more severe conduct sanctions, including immediate suspension if the student is found to be responsible for violating the Student Code of Conduct during the probationary period.
- **Residential Relocation:** Requirement to relocate within the residence hall system on a space-available basis.
- **Contract Probation:** A student placed on Contract Probation is in poor conduct standing. This is the last step before university suspension. This student signs a contract with the Associate Dean for Residential Living and Dining understanding the seriousness of their standing and agreeing to comply with expected behavior and/or sanctions that may apply.
- **Residence Hall Suspension:** Separation of the student from the residence areas for a designated period of time, including, but not limited to, weekend suspension, separation of the student from the residence halls/apartments for a defined period of time after which the student is eligible to apply to return. Conditions for readmission may be specified.
- **Residence Hall Expulsion:** Permanent separation of the student from the residence halls.
- **University Suspension:** Separation of the student from the university and exclusion from university premises and from other privileges and activities for a defined period of time, after which the student is eligible to apply for return. Conditions for readmission may be specified. A student readmitted from suspension for disciplinary reasons will normally be placed on Disciplinary Probation for the semester immediately following readmission. Students who are suspended are expected to leave the campus immediately following the enactment of this sanction.
- **University Expulsion:** Permanent termination of student status and exclusion from university premises, privileges and activities. An application for readmission shall not be considered. Students who have been expelled will be expected to leave the campus immediately following the enactment of this sanction.
- **Deactivation:** Loss of privileges, including university recognition, for a defined period of time.

More than one of the above sanctions may be imposed for any single violation.

The proper university authorities shall be notified of any sanction. Niagara University reserves the right to notify the student's parent(s) and/or legal guardian(s) as deemed necessary and appropriate when the student is found responsible for violating the Student Code of Conduct and any sanctions imposed.

Sanctions shall not normally be made part of the student's permanent academic transcript except suspension or expulsion. In cases where suspension or expulsion is imposed, the file shall be retained as part of the student's permanent record. All other disciplinary records shall be kept in the student's confidential file (paper copy and/or electronic) maintained with the Associate Dean for Residential Living and Dining, or designee, for a period of seven years after separation from the university.

A student's conduct file is subject to review by those authorized to request it, such as transfer colleges and future employees and in other cases when the student initiates disclosure.

All appropriate sanctions may be imposed upon groups and organizations. Groups and organizations may further receive the sanction of deactivation, resulting in a loss of university recognition for a specified period of time. Failure to abide by or complete any sanction shall result in a separate violation for the abuse of the student conduct system.

Interim Sanctions

Niagara University reserves the right to suspend for an interim period any student whose presence on the campus is, in the sole judgment of the university, detrimental to the best interests of the university or presents a danger to themselves or others.

The Dean for Student Engagement and Belonging or designee may impose a university or residential suspension pending an assessment and/or a hearing before a Student Conduct Body.

Administrative removal may be imposed: to help ensure the safety and well-being of members of the university community or preservation of university property; to help ensure the student's own physical or emotional safety and/or well-being; to help prevent disruption or interference with the normal operations of the university.

During interim suspension, students shall be removed from campus for a defined period of time and are denied access to the residence halls/apartments and/or to the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible, as determined appropriate.

In certain circumstances, the Dean for Student Engagement and Belonging or designee may impose an interim residence suspension, mandated room reassignment or other restrictions prior to a hearing before a Student Conduct Body.

Whenever interim sanctions are imposed, a hearing convenes at the earliest possible time. The interim sanction(s) may remain in effect until a final decision has been reached, including any appropriate appeals process.

APPEALS

Claimants and respondents have the right to appeal the outcome of the report and may do so according to the proceedings outlined in the [Title IX Grievance Policy](#) or the [Sexual Misconduct Awareness and Response Policy](#). Please refer to those policies for more

information or contact the [Title IX Coordinator and Civil Rights Officer](#) with any questions or concerns.

CONFIDENTIALITY

Investigations/Hearings/Supportive Measures – Confidentiality

The university recognizes the importance of privacy and confidentiality in these matters and will uphold the rights of all parties involved to the extent possible. Some individuals filing complaints or involved in an investigation may want their identity to remain confidential. In some instances, the person being questioned can be spoken to without identifying the complainant. In other cases, issues of confidentiality must be balanced against the university's need to investigate and take appropriate action. While discretion remains important, parties are not restricted from discussing or sharing information relating to their complaints with others who may support them or assist them in presenting their case.

The university will work to maintain the confidentiality of individuals seeking interim supportive measures to the extent practicable. The [Title IX Coordinator and Civil Rights Officer](#) will ensure, to the extent possible, that the individual's information is shared limitedly, only providing to university officials the individual's information which is necessary for the carrying out of such supportive measures.

Public Reporting – Confidentiality

Niagara University is required to report crime statistics to the United States Department of Education, within this report, and on the university's website. The statistics must also be made readily available to all current and prospective students, faculty, and staff.

Personally identifiable information is removed and not shared as a part of this report, the crime log, crime statistics, or within any emergency notifications or timely warnings. This confidentiality is ensured by the [Title IX Coordinator and Civil Rights Officer](#).

Niagara University does not have a policy in place that permits anonymous reporting (by students or pastoral and professional counselors) of incidents for their inclusion in these report's campus crime statistics.

WRITTEN NOTIFICATION OF RIGHTS AND OPTIONS

Written Notice of Rights and Options for Claimants

Written Notice of Allegations for Respondents

The following information is taken from Niagara University's Title IX Grievance Policy:

- (a) The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.
- (b) The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither. Page 9 of 24
- (c) The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.
- (d) The Title IX Coordinator or designee may

determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

(e) Contents of Notice: The Notice of Allegations will include the following:

- (1) Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.
- (2) Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- (3) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- (4) A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- (5) A statement that before the conclusion of the investigation,

the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);

(6) A statement that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

(f) Ongoing Notice: If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means. Page 10 of 24 The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

For incidents which fall under the jurisdiction of the Sexual Misconduct Policy, respondents and claimants will receive notice of charges at least 48 hours in advance of the hearing describing the date, time, location, and factual allegations concerning the violation, reference to the specific code of conduct provision(s) alleged to have been violated, and possible sanctions.

WRITTEN NOTIFICATION OF FINAL DETERMINATION

Per the university's Title IX and Grievance Policy, the written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

- 1) Identification of the allegations potentially constituting covered sexual harassment;
 - 2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - 3) Findings of fact supporting the determination;
 - 4) Conclusions regarding which section of the relevant policies, if any, the respondent has or has not violated.
- 5) For each allegation:
 - a) A statement of, and rationale for, a determination regarding responsibility;
 - b) A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c) A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
 - 6) The recipient's procedures and the permitted reasons for the complainant and respondent to appeal.

Upon request, Niagara University will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (incest or statutory rape) to the alleged victim or next of kin if the victim is deceased.



Efforts to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking (DVDVSAS)

Niagara University does not tolerate violence and aims to cultivate a community where everyone feels safe and supported throughout their experience at Niagara. [The Office of Violence Prevention and Education \(OVPE\)](#) is the center for all sexual and relationship violence awareness, prevention, and education efforts. The [OVPE](#) serves to increase dialogue and engage all individuals in prevention, education, and intervention efforts surrounding domestic violence, dating violence, sexual assault, and stalking (DVDVSAS). These actions are effective pathways to elicit a positive impact and reduce incidents of violence and victimization. The [OVPE's](#) mission is to:

1. Educate the campus community about DVDVSAS victimization.
2. Make resources available to victims and those that serve them.
3. Promote a trauma-informed response to reported incidents of sexual violence.
4. Engage all members of the community in prevention, education, and intervention efforts.

EDUCATION AND TRAINING

All trainings are available upon request through the OVPE. Please contact the director, Emily Pike at epike@niagara.edu, to schedule and/or inquire about a training.

Green Dot - Bystander Intervention Training

- This is a national bystander intervention program that offers two trainings (an overview and a full training) that equip participants with the knowledge, skills, and motivation necessary to do their part

so that the campus culture can shift and interpersonal violence can be reduced. This training is available for students, staff, and faculty. There are multiple training opportunities available throughout the academic year and training can also be scheduled upon request.

New Hire - "Hey, can we talk?" Disclosures, Resources, and Reporting Overview

- This one and a half hour training provides staff and faculty with the tools to recognize, address, and report incidents of potential sexual misconduct in alignment with our university's policies and procedures and a person-centered approach. This training is offered on a monthly basis to all newly hired staff and faculty members.

Healthy Relationships

- This one hour training promotes discussion around the different types of relationships that we all have and how we can identify characteristics that are healthy and unhealthy. The Healthy Relationships training also provides education on boundaries and how we can set and respect them. This training is available to the entire campus community and is available upon request.

Vector Solutions

- Students, staff, and faculty are all required to complete this online training course. The student training is titled: Sexual Assault Prevention The employee training is titled: Preventing Harassment and Discrimination. This training is assigned annually to the entire campus community. The modules cover the topics listed below.

- Information to identify sex discrimination and sexual harassment, including relationship violence, stalking, and sexual misconduct.
- Raise awareness of the impact of these issues on the campus community and encourage community members to engage in efforts to end these types of violence;
- Advise members of the Niagara community about their rights and reporting options;
- Communicate behavioral expectations for all members of the NU community as outlined in the policy;
- Connect community members with support, resources, and information on how to support others who have experienced violence;
- Provide safe and effective strategies for bystander intervention;
- Train employees on their role in administering the policy and their obligations as mandatory reporters; and
- Teach employees how to support survivors and provide resources in an empathetic manner

NCAA ATHLETE EDUCATION

All student-athletes receive training about Niagara’s Sexual Misconduct and Title IX Policy, including information about how to identify and report potential incidents of sexual misconduct, bystander intervention techniques, resources, navigating disclosures/mandatory reporting, and how to support survivors. Student-athletes have one, 60-minute training session that must be completed within the academic year.

NEW STUDENT EDUCATION

During Summer Orientation (SumO) and New Student Orientation (NSO), first-year students participate in programs on wellness, safety and violence prevention, where sexual and relationship violence information and resources are provided by the Office for Inclusive Excellence and the Office of Violence Prevention and Education. This education is then expanded upon by the annually assigned module through our training platform, Vector Solutions. All students are expected to complete the module titled “Sexual Assault Prevention” during the fall semester. Information about sexual violence resources are distributed to students through bulletin boards throughout campus, posters in every residence hall in lobbies and gathering areas, flyers and brochures spread throughout campus, and on Niagara University’s webpage at <https://www.niagara.edu/office-of-violence-prevention-education/>, as well as by communications on the OVPE instagram account.

CONSENT EDUCATION

Some of the training given throughout the academic year focuses on understanding what affirmative consent is, as defined by New York State’s “Enough Is Enough” legislation. **“Affirmative consent” is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity.** Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participants’ sex, sexual orientation, gender identity, or gender expression.

1. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol;
2. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act;
3. Consent may be initially given but withdrawn at any time, and when consent is withdrawn or can no longer be given, sexual activity must stop;
4. Coercion, force, or threat of either invalidates consent. “Incapacitation” is the inability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.

Engaging in sexual contact with a person who is mentally or physically incapacitated (e.g., unconscious, asleep or intoxicated) may result in a charge of sexual assault. Thus, if you suspect that your companion may be suffering from impaired judgment or is otherwise incapable of providing knowledgeable and informed consent, you should not proceed with sexual contact. Further, your own mental incapacitation (e.g., intoxication) will not serve as a defense should you be charged with sexual assault.

Questions about navigating healthy relationships including personal boundaries and consent can be explored at Niagara’s Counseling Services and/or OVPE as they are open resources for the campus community in discussing these topics.

GREEN DOT BYSTANDER INTERVENTION EDUCATION

Green Dot is a national bystander intervention program that is informed by rigorous research and evaluation. The program focuses on mobilizing people across settings and contexts to create safe, healthy, and respectful spaces. The program offers two trainings (an overview and a full training) that equip participants with the knowledge, skills, and motivation necessary to do their part so that the campus culture can shift and interpersonal violence can be reduced. To ensure widespread impact, each program is modified and adapted for maximum resonance with each audience (e.g., language, examples, values, cultural concepts). The overall Green Dot Prevention Strategy consists of three components: workshops, social marketing, and evaluation. These three components can drive behavior change and transform the culture of our campus.

The first step in the Green Dot program is to provide education and awareness of different forms of violence (e.g., sexual assault, dating violence, domestic violence, sexual assault) as well as how to recognize warning signs for each form. The curriculum reviews observable behaviors associated with each form of violence and then examines it through the lens of a bystander, with the goal of intervening at the earliest possible warning sign.

Despite good intentions, many bystanders choose to standby when noticing something that could be harmful. The Green Dot program recognizes this and addresses that we all have personal, relational, and/or organizational barriers that may prevent us from taking action. After barriers are addressed, the program then provides many options for individuals to take action so that they can intervene despite their

unique barriers. Green Dot utilizes a strategy called the three D's: Direct, Delegate, and Distract.

DIRECT: Doing something yourself.

- Asking someone to stop what they are doing
- Checking on someone you are worried about
- Tell someone directly, "what you're doing is not okay"

DELEGATE: Asking someone else to get involved.

- Ask friends of either of them to help
- Talk to a trusted community advisor (CA), coach, faculty, or staff member
- Ask a family friend to check in
- Call Campus Safety 716.286.8111

DISTRACT: Coming up with a distraction that will diffuse the situation or calm things down.

- "Accidentally" spilling a drink
- Asking to borrow the phone of someone who is in a risky situation
- Starting an unrelated conversation
- Asking for a ride

Please note, it is important to take your personal safety into consideration when deciding how and when to intervene. Safety plays a crucial role in selecting which method of intervention is most appropriate for any given situation.

The three D's are all useful intervention techniques to react to violence when we see it. However, it is just as important to learn and practice ways that our campus community can be proactive. The Green Dot program teaches the importance of maintaining the norms of our campus community by moving beyond a solely reactive strategy and encouraging others to engage proactively. Some examples of this include promoting proactive behaviors within

one's spaces, conversations, use of technology, social life, and hobbies/recreation. The two norms the program specifically reinforces are (1) Violence will not be tolerated, and (2) Every member of the campus community is expected to do their part.

This program is offered to all students, staff, and faculty at Niagara throughout the entire academic year. Open training sessions are offered multiple times a semester and can also be requested by contacting the OVPE director, Emily Pike, at epike@niagara.edu.

PROGRAMS AND EFFORTS

Coordinated Community Response Team (CCRT)

- Developed in 2021, this team's goal is to help guide and evaluate our campus's prevention efforts. This team meets quarterly and is composed of 24 campus and community stakeholders.

Ridge Respect

- Ridge Respect is Niagara University's pledge of non-violence created to integrate violence prevention into the fabric of Niagara. It is Niagara's way of holding each other accountable and promoting the values of respect, intervention, diversity, growth, and empowerment in order to build and sustain a safe and supportive campus culture.

Take Back the Night

- Take Back the Night (TBTN) is Niagara University's kick-off event for Sexual Assault Awareness month in April. TBTN aims to end sexual, relationship, and domestic violence in all forms. The event includes resource tabling (over 20 student and community partner tables), poster making, a brief program, and a restorative reflection. The event concludes with a

student-organized march across campus. The event is organized with the help of a planning committee composed of Niagara University students, staff, and faculty from across campus and local community partners. The signature community partner, (i.e., the agency that is co-sponsoring or receiving financial supports/benefits from the event), is the YWCA of the Niagara Frontier.

Living in Light: The Art of Healing

- Living in Light is held annually every year in observance of Domestic Violence Awareness Month. The university partners with several community agencies who serve on the planning committee and provide collections of artwork created by survivors of domestic violence. This artwork is displayed for one evening for both campus and community members to view. Outside of the main gallery are resource tables hosted by local community agencies to increase awareness of their services and programs for survivors of domestic violence.

Semesterly Programming

- The OVPE hosts a multitude of programs throughout the academic year to increase awareness, build on existing prevention education, and build campus relationships. These programs include, but are not limited to, the Red Flag Campaign, Clothesline Project, Awareness Month Calendar Challenges, Purple Thursday, Denim Day, Social Media Campaigns, Speaking events, One Love workshops, Ridge Respect Games with athletic teams, and residence hall programming.

IMMEDIATE CONSIDERATIONS FOR SURVIVORS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

Support

- Survivors are encouraged to seek support from a victim advocate, counselor, close friend, family members, or another supportive, safe person.
- Survivors can contact the YWCA of the Niagara Frontier, which provides advocacy, counseling, shelter, referrals, transportation to and from the hospital (available for NU community only), and other information to survivors of sexual and relationship violence. Services are available to students, faculty, staff, and to non-affiliated members of surrounding communities. All services are free and confidential. **Call the YWCA of the Niagara Frontier 24/7 crisis hotline at 716.433.6716** or visit <https://ywcaniagarafrontier.org/> for more information.

Safety

- Survivors are encouraged to consider saving evidence of abuse, such as taking photos of injuries; screenshots of threatening, abusive, or unwanted texts; saving emails and voicemail; and documenting abusive or stalking behaviors in a journal, with dates, times, and other details noted.
- Survivors are encouraged to engage in safety planning with an advocate, if possible, before leaving an abusive relationship or serving legal documents, because these situations can result in escalated abuse. **The YWCA of the Niagara Frontier can provide free and confidential advocacy services.**

- Survivors should be aware that their abuser might be monitoring their cell phone, emails, social media, odometer, financial statements, and other details that track their whereabouts and plans. An advocate can help provide ideas on how to determine this or potentially prevent this from happening.

Medical Care

- Survivors are encouraged to consider getting immediate medical care for their health needs (such as possible injuries, pregnancy, sexually transmitted infections (STIs), or HIV) and evidence collection, even if they are unsure if they want to participate in a criminal investigation and/or prosecution. Evidence collection can be important for proof in a criminal or university investigation and may assist survivors in obtaining a protection order.
- If survivors wish to have evidence collected, it is suggested that they not shower, urinate, brush their teeth, or change/discard their clothes until evidence can be collected by a Sexual Assault Nurse Examiner (SANE) at a local hospital during a Forensic Rape Exam (FRE). **Evidence can be collected up to five days post assault regardless of whether the survivor has showered, ate, or changed their clothes and can be stored for 10 years.** FRE is a completely free program that provides survivors with medical care by a registered nurse who is specifically trained to care for sexual assault patients. These specially trained nurses can conduct medical forensic examinations and can serve as expert witnesses in a court of law.
- For suspected drug-induced assaults, survivors who wish to document this

should consider seeking medical attention at a local hospital that includes urine drug testing as soon as possible. The presence of drugs in blood and urine is short-lived, sometimes as short as six hours.

Reporting to Law Enforcement

(see appendix B)

- Survivors are encouraged to consider contacting the police. Even if a survivor does not know whether they want to make a criminal complaint, the police can provide referrals, guidance, and document information and collect evidence, which may be helpful in the future.
- Please note, this may initiate additional mandatory reporting obligations. Niagara University's Campus Safety encourages all survivors to file a report. University personnel can assist the survivor in notifying the authorities.



COMMUNITY PARTNERS IN THIS WORK

YWCA of the Niagara Frontier

Offers support to victims of sexual and relationship violence.

24 Hour Confidential Crisis Hotline

Call or text 716.433.6716

Pinnacle Community Services

Offers support to victims of dating and domestic violence.

24 Hour Confidential Crisis Hotline for Domestic Violence Victims and Survivors

Call 716.433.6716

Seven Dancers Coalition

Provides education and events geared toward indigenous communities.

Call 716.201.1421

Niagara County Sheriff's Department Victim Assistance Unit

Supports victims of crimes that have been reported to law enforcement.

Domestic Violence Intervention Program

Lockport: 716.438.3301

Niagara Falls: 716.286.4570

Victim Assistance Unit (all crime types)

Lockport: 716.438.3306

Niagara Falls (DV): 716.286.4570

For more information on resources and trainings, go to <https://www.niagara.edu/office-of-violence-prevention-education/>



Hate Crimes and Acts of Discrimination

Per the university's [Non-Discrimination Policy](#) under Title IX, New York's Article 129-B's "Enough Is Enough" legislation any offensive or criminal act based on an individual's protected identity (including sex, race, age, disability, color, creed, national origin, religion, ethnicity, gender, gender identity or expression, sexual orientation, marital or familial status, military or veteran status, domestic violence victim status, pregnancy, or other category protected by law) is strictly prohibited. Any community member who engages in such an action will be held accountable and will be subject to sanctions, including but not limited to suspension and expulsion. For some incidents, criminal penalties may be applicable.

Anyone who is a victim of discrimination or a hate crime is encouraged to seek counseling from a trained mental health professional. Counselors are available through [Counseling Services](#) to provide crisis intervention, in-office counseling, referral to other support services and self-help groups. For appointments with [Counseling Services](#), call 716.286.8536. [Counseling Services](#) can also refer victims to community based support groups and professional organizations. The university will assist any student, faculty or staff member wishing to contact outside agencies, including local police, regarding charges and complaints of a discriminatory offense or hate crime.

HATE CRIMES

According to the New York Penal Law Section 485, a hate crime is when an individual commits a specified criminal offense and either:

- Intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin,

ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or

- Intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Legal penalties for hate crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous conviction of the offender. Students, staff or faculty who commit hate crimes are also subject to university disciplinary procedures where a range of sanctions is available both up to and including suspension, expulsion or termination of employment.

Hate crime laws are designed to send the message that hate motivated crimes will not be tolerated, because they are often attempts to silence and instill fear into entire groups. Examples of hate crimes may include, but are not limited to: threatening phone calls, hate mail (including electronic mail), physical assaults, vandalism and destruction of property. Reporting hate-related incidents helps survivors take advantage of recovery services and enables our community to build up statistics and patterns of crime, providing an opportunity to catch offenders or prevent the violence altogether.

ACTS OF DISCRIMINATION

Although a harmful and discriminatory act may not meet the legal definition of a hate crime, Niagara University prohibits such actions and will enact sanctions on individuals who violate the [Non-Discrimination Policy](#).

An offensive act refers to any act of discrimination, retaliation, or harassment based on an individual's protected identity. Niagara University describes discrimination as the unequal treatment of an individual or group based on their belonging to a protected class.

Protected Classes Include:

- Age
- Race
- Creed
- Color
- Religion
- National Origin
- Sexual Orientation
- Gender Identity or Expression
- Disability
- Predisposing Genetic Characteristics
- Familial Status
- Marital Status
- Status as a Domestic Violence Survivor

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

In the employment context, sexual harassment is unwelcome, sex- or gender-based verbal or physical conduct that subjects an employee to inferior terms, conditions, or privileges of employment because of an individual's membership in a protected category.

In the education context, sexual harassment is unwelcome, sex- or gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it interferes with, denies, or limits an individual's ability to participate in or benefit from the university's educational programs and activities.

The most common form of discriminatory incidents on college campuses are demeaning jokes, offensive social media posts, or harassing or threatening phone calls, texts, or emails. However, discriminatory physical attacks and vandalism do also occur. You can make a difference by speaking out when jokes or comments are made that are hateful or demeaning and by asking yourself if you use derogatory, degrading or offensive terms when describing others.

Retaliation is intentional action taken against a person for reporting or objecting to discrimination or harassment or for participating in an investigation or other proceeding related to discrimination or harassment. Any action that would keep an individual from coming forward to make or support a claim of unlawful harassment or discrimination may constitute retaliation. Such retaliation is unlawful under federal, state, and (where applicable) local law. For example, both the New York State Human Rights Law and Title VII of the Civil Rights Act of 1964 protect individuals who engage in "protected activity." Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under Title VII, the Human Rights Law, or other anti-discrimination law;

- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed;
- or encouraged a fellow employee to report sexual harassment.

Even if the alleged harassment does not rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment or discrimination.

REPORTING

Niagara University is required to report the number of hate crimes on or around campus annually. In order to effectively handle and investigate incidents and prevent future occurrences of such crimes, victims or witnesses of hate crime are encouraged to immediately report incidents to [Campus Safety](#) at 716.286.8111, the Dean for Student Engagement and Belonging at 716.286.8405, or the [Title IX Coordinator and Civil Rights Officer](#) at 716.286.8314. Please remember that any evidence such as graffiti, emails, written notes or voice mail messages should be preserved. Campus Safety will investigate and follow all appropriate university adjudication procedures.

All Niagara University employees (including staff, administration, and faculty, whether full-time or part-time) are required to report any and all incidents of discrimination, insofar as the behavior affects others (that is, the reporting obligation does not extend to the victim). Any student, employee, intern, or

non-employee who has been subjected to behavior that may constitute harassment, discrimination, or retaliation in violation of this Policy is encouraged to report such behavior to the university's [Title IX Coordinator or Deputy Title IX Coordinator](#), or to a supervisor, manager, or designated "Responsible Employee," as defined below.

In addition to being subject to discipline if they engaged in sexually harassing or discriminatory conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or other forms of discrimination, or otherwise knowingly allowing sexual harassment and/or discrimination to continue.

It is recommended that employees report directly to the [Title IX Coordinator and Civil Rights Officer](#), but may also report to their supervisor, [Deputy Title IX Coordinator](#), or designated "Responsible Employee." "Responsible Employees," as defined by Title IX and designated by Niagara University, include the Director of HR, Director of Athletics, coaches, department chairs, deans, corporate officers, [Campus Safety](#) officers, immediate managers, Residence Life staff, and the [Title IX Coordinator and Civil Rights Officer](#). [Deputy Title IX Coordinators](#), Responsible Employees, and supervisors who receive a report of discrimination or harassment will then immediately report the incident to the [Title IX Coordinator and Civil Rights Officer](#).

Complaints/reports can be initiated via telephone or email, but general practice is to then follow-up with an in-person meeting with the [Title IX Coordinator or Deputy Title IX Coordinator](#). At this point, the Reporting Party can file an informal or formal complaint/report, depending, in part, on whether the Reporting Party requests anonymity. Reports

of harassment, discrimination, or retaliation in violation of this Policy may be made verbally or in writing. There is no statute of limitations or deadlines for reporting to the university, even if the incident occurred years earlier. However, note that there are such statutes of limitations in criminal and civil law.

AMNESTY POLICY

Minor and moderate student conduct violations and crimes that are revealed in reports to the [Title IX Coordinator and Civil Rights Officer](#) will not be pursued by campus officials. This especially applies to alcohol and drug possession violations. In most cases, these violations will not even be disclosed, except insofar as they are relevant to investigations and/or witness reports. This applies to victims, complainants, respondents, witnesses, the accused, and/or anyone providing information.

GRIEVANCE PROCEDURES

When a determination has been made that the Respondent committed a violation of policy, the decision-maker or designee will determine the appropriate sanctions or disciplinary action to be imposed, and all complainants and respondents will be notified. [The Title IX Coordinator and Civil Rights Officer](#) will oversee these decisions on sanctions and discipline to ensure such sanctions are administered in accordance with University policy, federal and state laws, including Civil Rights Laws and Title IX.

Disciplinary sanctions shall depend on the status of the Respondent:

- If the Respondent is a Student, possible sanctions and discipline include, among others, probation, suspension, residence hall relocation, and in the most serious cases, expulsion.
- If the Respondent is a Faculty member, possible sanctions and discipline include, among others, written warnings and reprimands, mandatory conferences, loss of rank, and in the most serious cases, removal for cause. All discipline of full-time faculty members will be conducted in accordance with the NULTA Collective Bargaining Agreement (CBA) and the Board of Trustees' Policy on Termination of Faculty and Emeritus Status.
- If the Respondent is a Non-Faculty Employee, possible sanctions and discipline include, among others, mandatory verbal conferences, written warnings attached to personnel files, and in the most serious cases, termination.

It is either party's right to appeal the determination of the investigation. Please see the [Non-Discrimination Policy and Grievance Procedures](#) for more information.



Drugs and Alcohol

OVERVIEW

Niagara shares public concern about irresponsible drinking and the socially unacceptable behavior which may result from alcohol abuse. While social gatherings can enhance the quality of campus life, it is expected that university members and visitors act responsibly with regard to the possession and use of alcoholic beverages. The policy pertains to all administrators, faculty, staff, students, and campus guests.

In New York State, Niagara permits the possession, consumption, sale, purchase, or gift of alcoholic beverages only to those who are 21 years of age or older. Everyone on campus grounds is required to conform to all state and city ordinances governing alcoholic beverages.

Violation of the University's Alcohol Policy subjects students to formal disciplinary action which may result in the imposition of sanctions, as well as mandated referrals for alcohol assessment through Counseling Services. The university also may work with local law enforcement officials in regard to liquor law offenses.

DRUG AND ALCOHOL POLICY STATEMENT

The goal of the Niagara University Alcohol Policy is to promote the responsible and legal use of alcoholic beverages by Niagara University students. The university complies with federal, state and local laws including those which regulate the possession, use and sale of alcoholic beverages. The Alcohol Policy can be found at: <https://mynu.niagara.edu/mynu2/policy/documents/Niagara-University-Alcohol-Policy.pdf>

Parental Notifications

Niagara University may advise parents or guardians of student's certain violations of the Student Code of Conduct, including alcohol and/or drug violations. Notification may be made when the violation involves:

- "clear and present danger" to the student, other students, persons or campus property; and/or
- an arrest and custody of the student; and/or
- medical intervention due to use of alcohol/drugs
- possible removal of the student from the university, programs or facilities (e.g. residence halls)

In general, notifications to parents and/or guardians will be made by the university to provide support for the individual student's development, academic success and physical/mental wellbeing.

ALCOHOL AND OTHER DRUG RESOURCES

Education Program

A fundamental purpose of the University is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. A number of educational programs on alcohol and substance abuse are presented throughout the academic year by the Campus Activities, Health Services, [Counseling Services](#), and Residence Life departments. All first-year students receive information about alcohol and substance abuse during orientation.

Support Resources

There is a broad range of options for getting help for alcohol and other drug (AOD) concerns - from harm reduction and brief intervention to

inpatient rehabilitation and ongoing recovery maintenance.

Below are services provided at Niagara University and links to other resources available to students needing support for behavioral addictions or substance use concerns. If you are unsure where to begin or would like to receive further information or referral services, please contact the Office of Counseling Services.

On-Campus

Office of Counseling Services

Seton Hall, Lower Level

716.286.8536

Office of Student Health Services

Butler Building

716.286.8390

Off-Campus

Horizon Health Services

Multiple locations

716.831.1800

<https://horizon-health.org/>

BestSelf

Multiple locations

716.884.0888

<https://www.bestselfwny.org/>

Endeavor Health Services

Multiple locations

716.895-6700

<https://www.ehsny.org/services/>

HEALTH RISKS AND MEDICAL CONSEQUENCES OF ALCOHOL AND DRUG USE

The utilization of substances or the improper consumption of alcohol carries significant health risks. Below, we summarize some of these risks. For more detailed information about the health-related risks associated with

alcohol or other substance misuse, or if you require support or treatment, please refer to the available resources

Common Substances and Symptoms of Use

Alcohol

- **Possible Effects:** impaired judgment and coordination, increased aggression at low to moderate doses, severe impairment of higher mental functions at moderate to high doses, fatal consequences at very high doses
- **Effects of Overdose:** dependence and withdrawal symptoms (anxiety, tremors, hallucinations, convulsions), long-term damage to vital organs (brain, heart, pancreas, liver), linked to cardiomyopathy, stroke, high blood pressure, fibrosis, cirrhosis, pancreatitis, and cancer
- **Withdrawal Syndrome:** anxiety, tremors, nausea, vomiting, hallucinations, irritability, and convulsions

Cannabis (Marijuana)

- **Possible Effects:** euphoria, relaxed or lowered inhibitions, increased heart rate and appetite; impaired reaction time, coordination, concentration and memory, and time distortion; lack of energy; drowsiness
- **Effects of Overdose:** paranoia, increased anxiety and depression, increased odds of developing psychotic disorders
- **Withdrawal Syndrome:** insomnia, hyperactivity, irritability or mood swings, decreased appetite

Depressants

- **Examples:** Barbiturates (such as Nembutal, Amobarbital, Phenobarbital),

Benzodiazepines (such as Valium, Xanax, Halcion, Ativan, Klonopin), Quaalude, Sopor, GHB, Alcohol

- **Possible Effects:** lower inhibitions, drowsiness, confusion, impaired judgment, loss of motor coordination, nausea, depressed central nervous system
- **Effects of Overdose:** slurred speech, slowed breathing, cool and clammy skin, coma, and possible death
- **Withdrawal Syndrome:** anxiety, agitation, insomnia, tremors, delirium, seizures, withdrawal syndrome can become a medical emergency and result in possible death

Hallucinogens

- **Examples:** LSD, Psilocybin (Mushrooms), Peyote (Mescaline), DMT, PCP, Ketamine, Salvia
- **Possible Effects:** illusions or hallucinations, increased blood pressure, breathing, and body temperature, intensified sensory experiences and emotions, lack of coordination, confusion, impaired or loss of memory, altered sense of reality, perception of time and depth
- **Effects of Overdose:** Paranoia, psychosis, anxiety, depression, persistent psychosis/flashbacks, overdoses can lead to seizures, difficulty breathing, coma, and death
- **Withdrawal Syndrome:** no information reported

Inhalants

- **Examples:** Gasoline, Airplane Glue, Paint Thinner, Dry-Cleaning Fluid, Nitrous Oxide, Amyl Nitrate, Butyl Nitrate, aerosols (whippets)

- **Possible Effects:** euphoria, lightheaded or dizziness, slurred or distorted speech, poor motor coordination, impaired vision, memory, organ failure, and muscular damage
- **Effects of Overdose:** seizures, coma, or death due to asphyxiation
- **Withdrawal Syndrome:** nausea, loss of appetite, insomnia, irritability, and mood swings, sweating

Narcotics

- **Examples:** Demerol, Dilaudid, Vicodin, Percocet, OxyContin, Methadone, Percodan, Codeine, Morphine, Heroin, Fentanyl
- **Possible Effects:** euphoria, drowsiness, lethargy, nausea, constipation, slowed breathing, impaired memory, and perception
- **Effects of Overdose:** slow breathing, cool or clammy skin, seizures, coma, or death
- **Withdrawal Syndrome:** watery eyes, runny nose, yawning, sweating, irritability, hyperactivity, nausea, vomiting, chills, severe depression, cravings

Steroids

- **Examples:** Testosterone, Parabolin, Winstrol, Anadrol, Sustanon, Equipoise
- **Possible Effects:** physical changes to the body that may be permanent, muscle growth, extreme mood swings, agitation, hostility, high cholesterol
- **Effects of Overdose:** Liver damage and stomach bleeding
- **Withdrawal Syndrome:** severe depression, outbursts of anger, irritability, impotence

Stimulants

- **Examples:** Amphetamine, Dextro-Amphetamine, Adderall, Ritalin, Concerta, Nicotine, Cocaine, Methamphetamine
- **Possible Effects:** increased alertness, excitation, euphoria, increased blood pressure, breathing and heart rate, restlessness, anxiety, nervousness, irritability, mood swings, restlessness, insomnia, anxiety, loss of appetite
- **Effects of Overdose:** agitation, increase in body temperature, hallucinations, seizure, or death
- **Withdrawal Syndrome:** insomnia, fatigue, depression

Opioids

- **Examples:** Amphetamine, Dextro-Amphetamine, Adderall, Ritalin, Concerta, Nicotine, Cocaine, Methamphetamine
- **Possible Effects:** increased alertness, excitation, euphoria, increased blood pressure, breathing and heart rate, restlessness, anxiety, nervousness, irritability, mood swings, restlessness, insomnia, anxiety, loss of appetite
- **Effects of Overdose:** agitation, increase in body temperature, hallucinations, seizure, or death
- **Withdrawal Syndrome:** insomnia, fatigue, depression



THE LAW AND UNIVERSITY POLICIES

Federal and New York State Laws

In combination with Niagara University's ordinances and policies relating to drug, alcohol, and substance abuse, Niagara University complies and enforces all State and Federal laws.

Alcohol

Alcohol offenses and penalties in New York State are defined by the Alcoholic Beverage Control Law and Penal Law. These laws include possession with intent to consume while under age 21, driving while intoxicated, driving while ability is impaired by alcohol, driving after consuming alcohol while under age 21, furnishing alcohol to a person under age 21, selling alcohol to an intoxicated person, or providing false identification. In addition, New York State General Obligations Law imposes personal injury liability for damages resulting

from furnishing alcohol to persons under age 21 or selling alcohol to an intoxicated person. While not exhaustive, a summary of offenses and penalties is provided below:

Offense	Penalty
Murder/non-negligent manslaughter	Up to one year in jail, \$1,000 fine
Fraudulent attempt to purchase alcohol (using false ID or ID of another person):	<p>Fine up to \$100, community service up to 30 hours, and/or completion of an alcohol awareness program, 90 days license suspension if a New York State driver's license is used as the false ID</p> <p>Possession of alcohol by person under 21: Up to \$50 fine and/or completion of an alcohol awareness program and/or up to 30 hours of community service</p>
Driving While Intoxicated (DWI) (>.08 blood alcohol content)	<p>First offense: up to one-year prison, \$500 to \$1,000 fine, minimum six months license revocation</p> <p>Second offense in 10 years: up to four years prison, \$1,000-\$5,000 fine, minimum one-year license revocation.</p>
Driving While Ability Impaired (DWAI) (.05-.07 blood alcohol content)	<p>First offense: up to 15 days jail, \$300-\$500 fine, 90-day license suspension.</p> <p>Second offense in five years: up to 30 days jail, \$500-\$750 fine, minimum six months license revocation</p> <p>Third offense in 10 years: up to 180 days jail, \$750-\$1,500 fine, minimum six months license revocation</p>
Operating a motor vehicle after consuming alcohol while under 21	License suspension or revocation and a \$125 fine
Possession of open container in public place	Up to 15 days in jail, up to \$500 fine or both

Cannabis (Marijuana)

On March 31, 2021, New York State legalized adult-use cannabis (also known as marijuana, or recreational marijuana) by passing the Marijuana Regulation and Taxation Act (MRTA). The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law. The MRTA modifies criminal violations and penalties relating to the sale and possession of cannabis.

- The Marijuana Regulation and Taxation Act (MRTA) legalizes cannabis for adults 21 years of age or older.
- It's illegal for anyone under age 21 to buy, possess or use cannabis.
- The use, possession, and/or cultivation of marijuana for any purpose is not allowed in any Niagara University residence hall or on any other Niagara University-owned, controlled, or leased property.

For more information on cannabis use in New York State, please visit:

<https://www.nysenate.gov/legislation/laws/PEN/222.00>

Controlled Substance

The State of New York Penal Law defines a wide range of offenses and penalties for possessing or distributing marijuana and other controlled substances. These sanctions can include imprisonment, fines, assigned community service, and loss of federal student financial aid eligibility. In addition, driving a motor vehicle with ability impaired by drugs is subject to the same New York State law and sanctions as driving while intoxicated.

The State of New York Public Health Law prohibits selling or possessing a hypodermic needle without a doctor's written prescription; or manufacturing, selling, or possessing with intent to sell an imitation controlled substance.

Federal Laws

Federal Sanctions for the Sale of Marijuana

- A first offense of trafficking in marijuana in amounts of less than 50 kg may result in imprisonment of not more than five years and a fine not to exceed \$250,000.

Imprisonment and fine minimums are doubled for a second offense

- Trafficking in marijuana in quantities greater than 1,000 kg may result in not less than 10 years and not more than life imprisonment and/or a fine not to exceed \$4 million (minimums double for a second offense)

Federal Sanction for Possession of a Controlled Substance

Possession, use, or distribution of Controlled Substances is prohibited by federal law. Controlled Substances include, for example, heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), cocaine, methamphetamine, and certain steroids and prescription drugs. Federal penalties for possessing, using, or distributing Controlled Substances often include fines and prison sentences:

- First conviction: Up to one-year imprisonment and/or fine of at least \$1,000 but not more than \$100,000, or both
- After one prior drug conviction: At least 15 days in prison, not to exceed two years and /or fine of at least \$2,500 but not more than \$250,000, or both
- After two or more prior drug convictions: At least 90 days prison, not to exceed three years and fine of at least \$5,000 but not more than \$250,000, or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years, and fine of up to \$250,000, or both if:
- First conviction and the amount of crack possessed exceeds five grams;

- Second conviction and the amount of crack possessed exceeds three grams;
- Third or subsequent conviction and the amount of crack exceeds one gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment.
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil fine up to \$10,000 (pending adoption of final regulations).
- 853a: Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for a first offense, up to five years for second and subsequent offenses.
- 922(g): Ineligible to receive or purchase a firearm.
- Miscellaneous: Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Federal Sanctions for Sale of Controlled Substances

Penalties range from imprisonment for less than one year and/or a fine of less than \$100,000 for a first offense involving a small quantity of a controlled substance. For a large quantity, second offense, the penalty may be as severe as 20 years to life imprisonment and a fine of not more than \$8 million.

In addition, Section 484(r) of the Higher Education Act of 1998 (20 U.S.C. §1091)

provides that a student's eligibility for federal student aid be suspended upon conviction under federal or state law for any offense involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under this subchapter shall not be eligible to receive any grant, loan, or work assistance. Eligibility may be regained upon completion of a drug rehabilitation program that meets statutory and regulatory requirements or if the conviction is overturned.

NIAGARA UNIVERSITY ORDINANCES

Student Organization Sponsored Events

- Approval must be obtained at least six weeks in advance from the director of Campus Activities if the event involves serving alcohol at an on-campus event. If permission is granted, a request needs to be submitted to the on-campus food service provider so they can request a temporary liquor license for the event, which takes a minimum of four weeks to obtain.
- Permission will not be granted for any sponsored event with alcohol that involves open bar or drink tickets. Only cash bar events will be considered for approval. Any exception to this rule (i.e., Senior Week events) will be reviewed on a case-by-case basis by the director of Campus Activities.
- Student organizations sponsoring an event involving alcohol on campus must, at the organization's cost, have an adequate Campus Safety presence at the event. Arrangements need to be made with Campus Safety for this security.

- Additionally, a university administrator needs to present at the event. Ideally this is the organization's advisor. This administrator will supervise the distribution of wristbands to those who are 21 years of age or older.
- Alcohol should never be the focus of any student organization sponsored event.
- Food, soft drinks and/or other non-alcoholic beverages need to be available in the same location and be featured as prominently as alcoholic beverages.
- Raffles involving baskets with alcoholic beverages must be approved by Campus Activities.
- No privately obtained alcoholic beverages may be brought to a student organization sponsored event, either on or off campus.
- No drinking games of any kind are allowed at any student organization sponsored event where alcohol is available.
- Events planned in Canada for the sole purpose of drinking at the Canadian legal drinking age of 19 will not be permitted.

Specific Drug Prohibitions

The possession, sale, use or distribution of any type of controlled substance, illicit, as well as of any type of drug-related paraphernalia, is considered a serious violation of the Student Code of Conduct. Niagara will provide no sanctuary for those who disregard state or federal drug laws. The Drug/Illegal Substances Policy can be found at <http://mynu.niagara.edu/mynu2/policy/documents/Niagara-University-Drug-Illegal-Substances-Policy.pdf>.

The prohibition against controlled substances does not apply to those medications physician-prescribed for a patient when used according

to directions. The university reserves the right, however, to confiscate said medications in cases of actual or suspected misuse.

The sale of any controlled substance can result in expulsion from Niagara University. Any other involvement with controlled substances subjects students to notification of guardians, disciplinary sanctions, and mandated meetings with Counseling Services for chemical dependency assessments and suspension or expulsion from Niagara.

Niagara belongs to a drug-free network under the Commission on Independent Colleges and Universities. It is important to note that students who sign the certification required under the Drug-Free Workplace regulations in order to receive a PELL Grant have agreed to not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period of enrollment covered by the PELL Grant. If a student who signed the certification is convicted of a criminal drug offense resulting from a violation occurring during the period of grant enrollment, he/she must report in writing the conviction within 10 calendar days to the Director of Grants and Contract Service, U.S. Department of Education.

Although New York State law now permits the recreational and medical use of marijuana under certain conditions, federal law prohibits all use, possession, and/or cultivation of marijuana at U.S. educational institutions. Federal law also requires any institution of higher education that receives federal funding to have policies in place that prohibit the possession and use of marijuana on campus. Therefore, the use, possession, and/or cultivation of marijuana for medical purposes is not allowed in any Niagara University residence hall or on any other Niagara University property. No exceptions

can be made for any student based on their possession of a medical marijuana certification, registry ID card, or any other proof of medical marijuana eligibility.

Fire Safety Information and Statistics

FIRE STATISTICS AND FIRE LOG

In compliance with the Higher Education Act of 2008, Niagara University is required to publish an annual fire safety report which provides all the mandatory information on the institution’s on campus fire safety procedures, practices, and standards.

Niagara University [Campus Safety](#) is responsible for maintaining fire safety, with the exception of extinguishing active fires, which is the duty of Upper Mountain Fire Company. The Fire Marshal

ensures that the university is in compliance with fire codes, fire safety inspections, and fire/arson investigations.

[Campus Safety](#) also keeps track of the annual fire statistics and fire log of all fire-related incidents that occur on campus. Those statistics are available below. Alongside the number of fire-related incidents, the chart also provides information on the cause (unintentional, intentional, undetermined), any inquiries or related-deaths, and the value of the property damaged by the incident.

ANNUAL FIRE SAFETY STATISTICS

	2023					2022					2021				
	Fire Number	Cause of Fire	Injuries Requiring Treatment	Deaths Related to Fire	Value of Damaged Property	Fire Number	Cause of Fire	Injuries Requiring Treatment	Deaths Related to Fire	Value of Damaged Property	Fire Number	Cause of Fire	Injuries Requiring Treatment	Deaths Related to Fire	Value of Damaged Property
Lynch Hall	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
O’Donoughue Hall	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
Clet Hall	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
Varsity Village	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
O’Shea Hall	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
Seton Hall	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A
Eagle Circle Apartments	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A

All residence hall street addresses are 5795 Lewiston Road, Lewiston, N.Y. 14109

FIRE SAFETY SYSTEMS

Each residence hall is equipped with a comprehensive fire detection and notification system. Individual rooms have smoke and heat detectors linked to a unified, building alarm system. Additionally, fire extinguishers are located throughout each residence. The NU apartments are equipped with a sprinkler system.

Residential Facility	Fire Alarms Monitored by Campus Safety	Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation on Plan Placards	Number of Evacuation (Fire) Drills Each Calendar Year
Lynch Hall	x		x	x	x	4
O'Donoghue Hall	x		x	x	x	4
Clet Hall	x		x	x	x	4
Varsity Village	x		x	x	x	4
O'Shea Hall	x		x	x	x	4
Seton Hall	x			x	x	4
Eagle Circle Apartments	x	x	x	x	x	4

FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

The university provides fire safety education and training to the Residence Life staff. Information about fire safety and related policies is provided to residential students throughout the academic year. The university also conducts frequent fire drills in accordance with the New York State Fire Code.

Fire Drills

Fire drills are conducted with the frequency required by New York State fire code. All non-residential buildings conduct a minimum of (3) drills each year. All residential facilities conduct a minimum of four (4) fire drills during each academic year. Halls used for students during summer periods also conduct a total of four (4) drills each year.

EVACUATION PROCEDURES AND GUIDELINES

The New York state fire code requires that any building must be completely evacuated when a fire alarm sounds. Calls for assistance should be made immediately to [Campus Safety](#) and/or the Residence Life staff by any person who discovers or suspects a fire. Students should make sure that they are familiar with building exits and strictly follow all fire evacuation procedures.

FIRST, activate the building fire alarm then call [Campus Safety](#).

- Know the location of fire extinguishers, fire exits, and alarm systems in your area.
- Evacuate all rooms, closing all doors to confine the fire and reduce oxygen. **DO NOT LOCK DOORS.**
- When the building fire alarm is sounded, walk quickly to the nearest marked exit and alert others to do the same. If the door is hot, do not open and look for an alternative exit.
- Assist others who need physical assistance as they exit the building. **DO NOT USE ELEVATORS IN CASE OF FIRE. REMAIN CALM.** Residence life staff and/or [Campus Safety](#) will be available to assist, as well.
- Once outside, move to a designated assembly area at least 500 feet away from the affected building(s). Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles and personnel.
- Once outside, remain at the assembly area site until emergency personnel are able to account for all building occupants. Further directions will be provided while at the assembly area.
- Follow directions given by emergency personnel.
- An Incident Command Post (ICP) may be set up near the emergency site. Keep clear of the ICP unless you are requested to enter the area.
- Do not return to the evacuated building until the all-clear is given by emergency personnel.
- If you become trapped in a building during a fire immediately call [Campus Safety](#) at 716.286.8111. If you are unable to call and a window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for emergency personnel. If possible, place a soaked piece of clothing at the bottom of the door to prevent smoke from entering the room. If there is no window, stay close to the floor, where the air is less toxic. Shout at regular intervals to alert emergency personnel of your location.
- Building evacuations will occur when a fire alarm sounds and/or upon verbal/electronic directives given by [Campus Safety](#) or Emergency Coordinator.
- If you are a campus resident, be sure to familiarize yourself with the proper fire response procedures posted on the inside of your room door.
- Building evacuation notices are posted in the main entrance of every building.
- When the ability to evacuate the building is restricted, making your exit impossible, one should seek refuge in the nearest enclosed stairwell furthest from the incident.

FIRE SAFETY VIOLATIONS AND PROHIBITIONS

- Tampering with fire alarms and fire-prevention, fire-detection and fire-fighting equipment is a violation of both the New York state fire and penal codes and is considered a major student conduct violation that could result in sanctions including suspension or expulsion from the university.
- Candles, open flames, and incense are strictly prohibited in the residences, as well as excessively flammable furnishings and decorations.
- Electrical equipment such as air conditioners, portable heaters, heat lamps, halogen lamps, refrigerators larger than 4.5 cubic feet, and microwaves are prohibited in student rooms. Toasters are permitted in residential facilities for use in designated kitchenette areas only. Coffee pots with an automatic shut off are permitted in student rooms.
- Smoking is not allowed within any building or other enclosed facility on the Niagara University campus and is only allowed in designated areas. Smoking is prohibited in all NU vehicles in any location or any other vehicle within 50 feet of a building on campus.

REPORTING FIRE SAFETY INFORMATION

In emergency situations where there is an active fire, individuals are strongly encouraged to follow evacuation procedures and call 911. In the event that the fire has already been extinguished, individuals should report the incident to [Campus Safety](#) so that it can be documented in this annual report:

Campus Safety

Campus Safety Building
Niagara University
716.286.8111

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

- Conduct campus wide review of fire evacuation announcements to standardize messaging and enhance coverage.
- Conduct an emergency drill for high rise residence hall fire in coordination with local first responders.
- Updating fire panels and majority of the fire and heat detectors in the residence halls. Major future renovations will include sprinkler systems.

Report on Security and Safety at Niagara University in Ontario

This information within this report is consistent with Niagara University in Ontario unless specified otherwise within this section.

Niagara University in Ontario prohibits workplace sexual harassment. If an employee experiences sexual harassment, they must refer to the [Niagara University Workplace Harassment and Sexual Harassment Prevention Policy and Program](https://mynu.niagara.edu/mynu2/policy/documents/policy-Niagara-University-Workplace-Harassment-and-Sexual%20Harassment-Policy.pdf) for information on how to report and procedures: <https://mynu.niagara.edu/mynu2/policy/documents/policy-Niagara-University-Workplace-Harassment-and-Sexual%20Harassment-Policy.pdf>.

Students who would like to file a claim regarding sex discrimination, including but not limited to dating violence, domestic violence, sexual misconduct, or stalking, should refer to the [Non-Academic Student Grievance Policy \(Ontario\)](https://mynu.niagara.edu/mynu2/policy/documents/policy-POLICY_Non-Academic%20Student%20Grievance%20Policy%20(Ontario)_2021-04-01.pdf): [https://mynu.niagara.edu/mynu2/policy/documents/policy-POLICY_Non-Academic%20Student%20Grievance%20Policy%20\(Ontario\)_2021-04-01.pdf](https://mynu.niagara.edu/mynu2/policy/documents/policy-POLICY_Non-Academic%20Student%20Grievance%20Policy%20(Ontario)_2021-04-01.pdf). Students should report incidents to the [Title IX Coordinator and Civil Rights Officer](#):

[Title IX Coordinator and Civil Rights Officer](#)

Madison Boehler

boehler@niagara.edu

716.286.8314

O'Shea Hall, Lower Level, B27

Niagara University

APPENDIX A: Map of Niagara University's Clery Geography

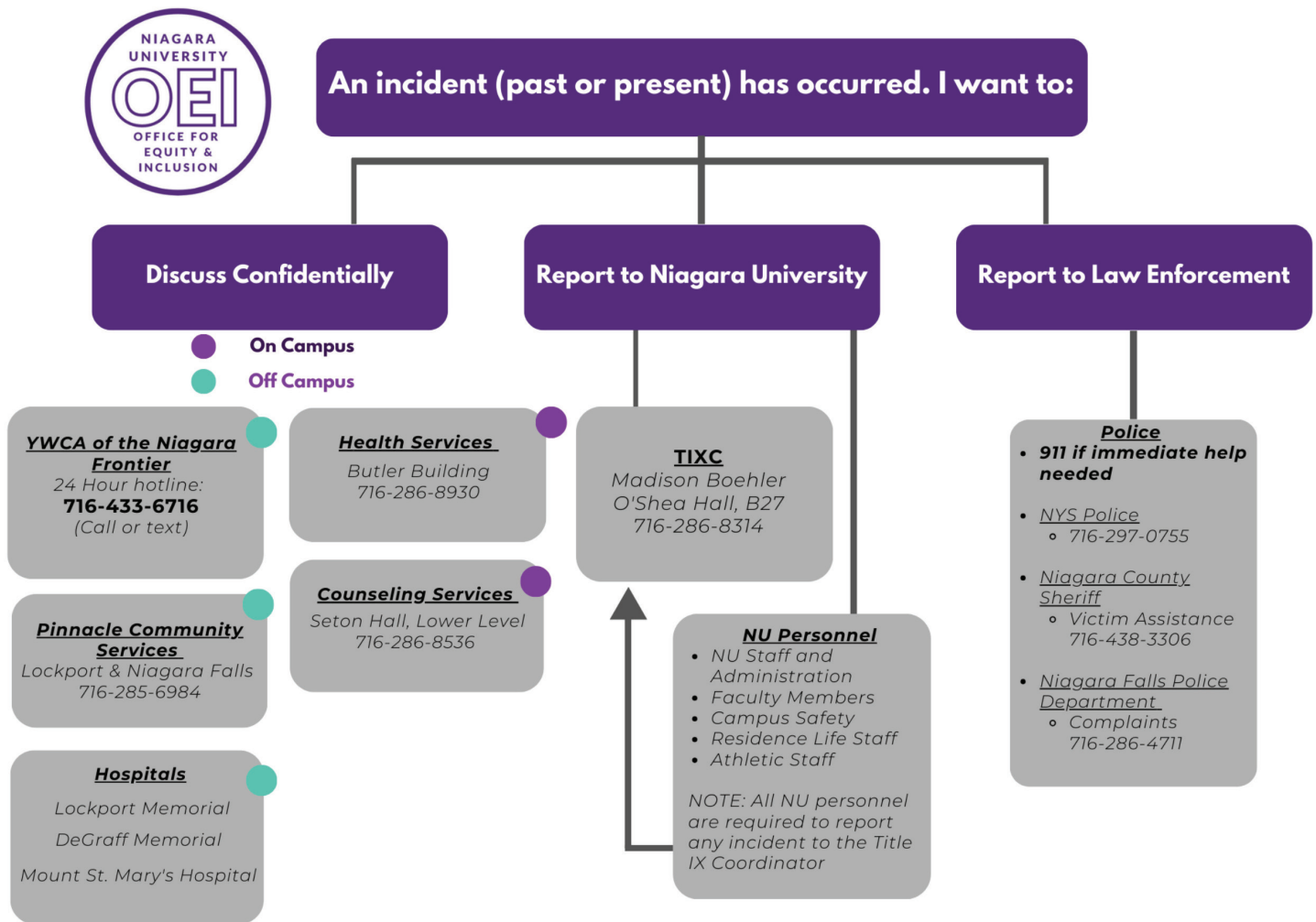
Below represents an image of Niagara University's Clery Geography. Crimes that occur within this geographic area are reported within this report's crime statistics charts. Not pictured in this image is Niagara University in Ontario, Canada.



APPENDIX B: Reporting Chart

Below represents an image of Niagara University's Clery Geography. Crimes that occur within this geographic area are reported within this report's crime statistics charts. Not pictured in this image is Niagara University in Ontario, Canada.

SEXUAL VIOLENCE RESOURCE AND REPORTING OPTIONS



APPENDIX C:

Students Bill of Rights

As a Catholic institution, founded by the Vincentians, Niagara University expects all its members to respect the rights, dignity, and personhood of others. Niagara University strives to create a safe educational and working environments for all members of the community, including students, faculty, administrators, staff, and guests. Sexual assault, dating violence, domestic violence, and stalking (collectively, “Sexual Misconduct”) are antithetical to this environment. Niagara University is committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate fully in the life of our university. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

All students have the right to:

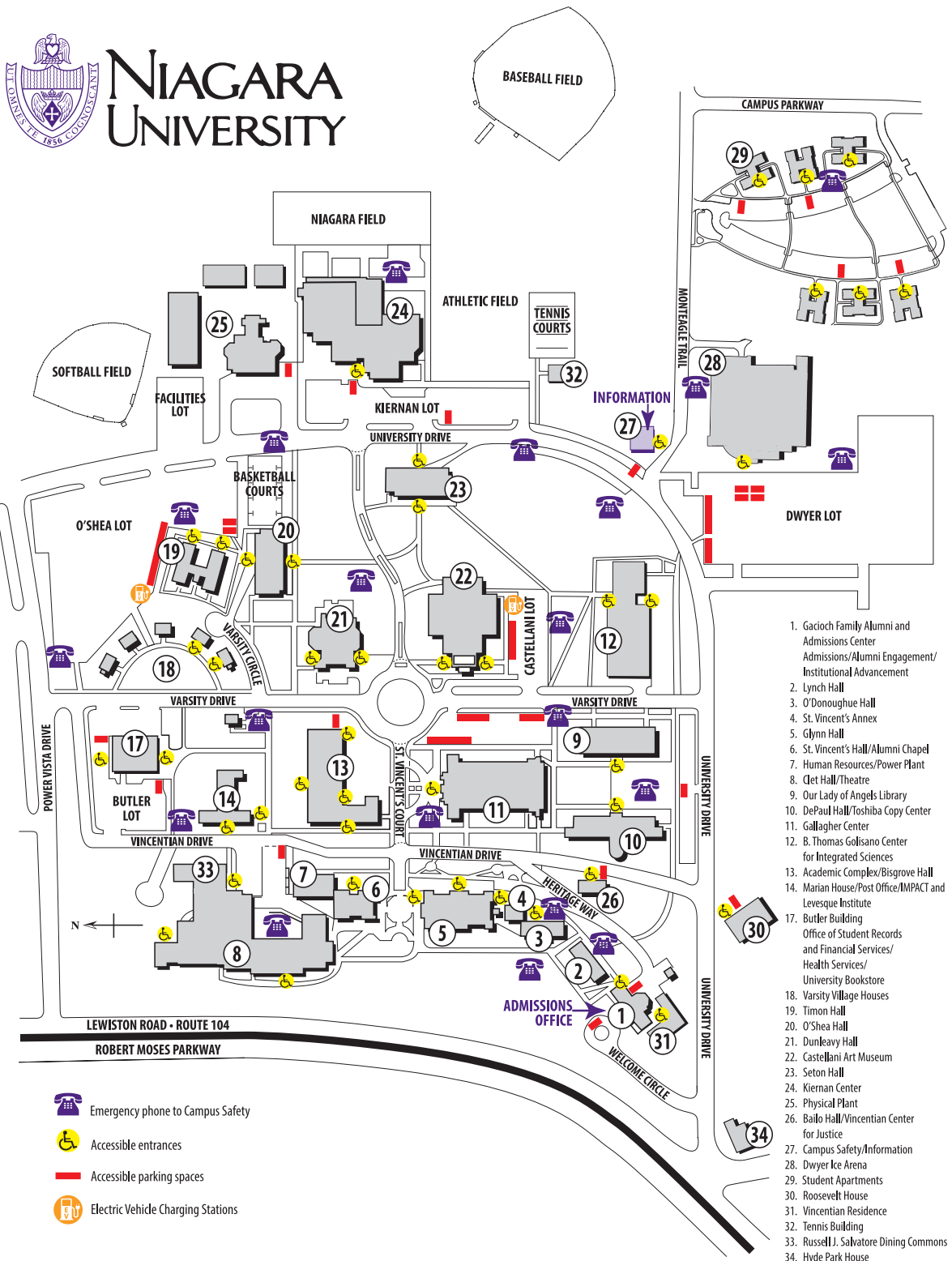
1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual violence assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the student conduct process and/or criminal justice process free from pressures from the institution;
4. Participate in a process that is timely, fair, and impartial, and provides a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual or victim/survivor is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institutional representatives as practicable and not to be required to unnecessarily repeat a description of the incident;
8. Be free from retaliation by the university, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of Niagara University;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative or conduct process of the university.

If you have witnessed or been the victim of a sexual assault on campus or in association with university program or activity, you may call the [Title IX Coordinator and Civil Rights Officer](#) for immediate assistance at 716.286.8425.

If it is after business hours and you need immediate assistance, please call [Campus Safety](#) at 716.286.8111 and or contact a member of the residence life staff and say “I need to report Sexual Misconduct (sexual assault/domestic violence/dating violence/stalking).” This will put you in touch with a trained responder.

APPENDIX D: Map of Campus Blue Light Telephones

Below is a map detailing the location of all emergency blue light telephones on campus:



APPENDIX E:

How to Interpret the Campus Crime Statistics (VAWA)

The annual Campus Security and Fire Safety Report, required by the Clery Act, provides important information about the safety of our campus. Here's a simple guide on how to interpret the crime statistics in this report:

Types of Crimes Reported

The report includes specific categories of crimes, such as:

- **Criminal Offenses:** Like burglary, robbery, or sexual assault.
- **Hate Crimes:** Crimes motivated by bias against race, religion, sexual orientation, or other protected characteristics.
- **Arrests and Disciplinary Referrals:** Related to drugs, alcohol, and weapons.
- **Violence Against Women Act (VAWA) Offenses:** Including domestic violence, dating violence, and stalking.

Geographic Areas Covered

The report breaks down statistics by location:

- **On-Campus:** Crimes that happen within the campus grounds.
- **Residential Facilities:** Crimes that happen in student housing, a subset of on-campus crimes.
- **Public Property:** Crimes on public property adjacent to the campus, like streets and sidewalks.
- **Non-Campus Buildings:** Crimes at university-owned buildings not on the main campus.

Understanding the Numbers

- **Annual Comparisons:** Look for trends over several years. A spike or drop in numbers may indicate a change in campus safety or reporting practices.
- **Reporting and Not Actual Numbers:** The numbers reflect reported incidents, not necessarily the total number of crimes that occurred. Some crimes may go unreported.
- **Context Matters:**
 - **Campus Size and Population:** Larger campuses or those with more students might naturally have higher numbers simply due to their size. Compare crime rates (the number of incidents per student) rather than just raw numbers.
 - **Location Factors:** Urban campuses may report more incidents due to their location in busy areas, while rural campuses might have fewer reported crimes but could still face serious safety concerns.
 - **Reporting Culture:** A campus with a strong emphasis on safety and awareness might have higher numbers because more people feel comfortable reporting crimes. This is often a sign of a proactive campus culture rather than a more dangerous environment.
 - **Changes in Policy or Reporting:** An increase in reported incidents could result from changes in how crimes are reported or categorized, not necessarily an increase in crime itself.

Why This Information Is Important

These statistics help you stay informed about campus safety and make decisions about how to protect yourself and others. The university uses this data to improve security measures and ensure a safe environment for everyone.

If you have questions or concerns about what these numbers mean, or if you want to learn more about campus safety resources, don't hesitate to reach out to the office of Campus Safety or the office of the Dean for Student Engagement and Belonging.



